

**As Introduced**

**136th General Assembly  
Regular Session  
2025-2026**

**S. B. No. 127**

**Senator Brenner**

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**A BILL**

To amend sections 3301.0712, 3302.03, 3302.034, 1  
3302.036, 3302.12, 3313.413, 3314.012, 3314.016, 2  
3314.017, 3314.0211, 3314.03, 3314.05, 3314.29, 3  
3314.352, 3314.353, and 3314.354; to enact new 4  
section 3314.35 and section 3326.53; and to 5  
repeal sections 3314.35, 3314.351, 3314.355, and 6  
3314.36 of the Revised Code regarding closure 7  
requirements or other actions for poor- 8  
performing public schools. 9

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:**

**Section 1.** That sections 3301.0712, 3302.03, 3302.034, 10  
3302.036, 3302.12, 3313.413, 3314.012, 3314.016, 3314.017, 11  
3314.0211, 3314.03, 3314.05, 3314.29, 3314.352, 3314.353, and 12  
3314.354 be amended and new section 3314.35 and section 3326.53 13  
of the Revised Code be enacted to read as follows: 14

**Sec. 3301.0712.** (A) The department of education and 15  
workforce and the chancellor of higher education shall develop a 16  
system of college and work ready assessments as described in 17  
division (B) of this section to assess whether each student upon 18  
graduating from high school is ready to enter college or the 19

workforce. Beginning with students who enter the ninth grade for 20  
the first time on or after July 1, 2014, the system shall 21  
replace the Ohio graduation tests prescribed in division (B) (1) 22  
of section 3301.0710 of the Revised Code as a measure of student 23  
academic performance and one determinant of eligibility for a 24  
high school diploma in the manner prescribed by rule adopted 25  
under division (D) of this section. 26

(B) The college and work ready assessment system shall 27  
consist of the following: 28

(1) (a) Except as provided in division (B) (1) (b) of this 29  
section, nationally standardized assessments that measure 30  
college and career readiness and are used for college admission. 31  
The assessments shall be selected jointly by the department and 32  
the chancellor, and one of which shall be selected by each 33  
school district or school to administer to its students. The 34  
assessments prescribed under division (B) (1) of this section 35  
shall be administered to all eleventh-grade students in the 36  
spring of the school year. 37

(b) Beginning with students who enter the ninth grade for 38  
the first time on or after July 1, 2022, the parent or guardian 39  
of a student may elect not to have a nationally standardized 40  
assessment administered to that student. In that event, the 41  
student's school district or school shall not administer the 42  
nationally standardized assessment to that student. 43

(2) (a) Except as provided in division (B) (2) (b) of this 44  
section, seven end-of-course examinations, one in each of the 45  
areas of English language arts I, English language arts II, 46  
science, Algebra I, geometry, American history, and American 47  
government. The end-of-course examinations shall be selected 48  
jointly by the department and the chancellor in consultation 49

with faculty in the appropriate subject areas at institutions of higher education of the university system of Ohio. Advanced placement examinations and international baccalaureate examinations, as prescribed under section 3313.6013 of the Revised Code, in the areas of science, American history, and American government may be used as end-of-course examinations in accordance with division (B) (4) (a) (i) of this section. Final course grades for courses taken under any other advanced standing program, as prescribed under section 3313.6013 of the Revised Code, in the areas of science, American history, and American government may be used in lieu of end-of-course examinations in accordance with division (B) (4) (a) (ii) of this section.

(b) Beginning with students who enter ninth grade for the first time on or after July 1, 2019, five end-of-course examinations, one in each areas of English language arts II, science, Algebra I, American history, and American government. However, only the end-of-course examinations in English language arts II and Algebra I shall be required for graduation.

The department shall, as necessary to implement division (B) (2) (b) of this section, seek a waiver from the United States secretary of education for testing requirements prescribed under federal law to allow for the use and implementation of Algebra I as the primary assessment of high school mathematics. If the department does not receive a waiver under this division, the end-of-course examinations for students described in division (B) (2) (b) of this section also shall include an end-of-course examination in the area of geometry. However, the geometry end-of-course examination shall not be required for graduation.

(3) The end-of-course examinations in American history and

American government shall require demonstration of mastery of 80  
the American history and American government content for social 81  
studies standards adopted under division (A) (1) (b) of section 82  
3301.079 of the Revised Code and the topics required under 83  
division (M) of section 3313.603 of the Revised Code. 84

At least twenty per cent of the end-of-course examination 85  
in American government shall address the topics on American 86  
history and American government described in division (M) of 87  
section 3313.603 of the Revised Code. 88

(4) (a) Notwithstanding anything to the contrary in this 89  
section, both of the following shall apply: 90

(i) If a student is enrolled in an appropriate advanced 91  
placement or international baccalaureate course, that student 92  
shall take the advanced placement or international baccalaureate 93  
examination in lieu of the science, American history, or 94  
American government end-of-course examinations prescribed under 95  
division (B) (2) of this section. The department shall specify 96  
the score levels for each advanced placement examination and 97  
international baccalaureate examination for purposes of 98  
calculating the minimum cumulative performance score that 99  
demonstrates the level of academic achievement necessary to earn 100  
a high school diploma. 101

(ii) If a student is enrolled in an appropriate course 102  
under any other advanced standing program, as described in 103  
section 3313.6013 of the Revised Code, that student shall not be 104  
required to take the science, American history, or American 105  
government end-of-course examination, whichever is applicable, 106  
prescribed under division (B) (2) of this section. Instead, that 107  
student's final course grade shall be used in lieu of the 108  
applicable end-of-course examination prescribed under that 109

section. The department, in consultation with the chancellor, 110  
shall adopt guidelines for purposes of calculating the 111  
corresponding final course grades that demonstrate the level of 112  
academic achievement necessary to earn a high school diploma. 113

Division (B) (4) (a) (ii) of this section shall apply only to 114  
courses for which students receive transcribed credit, as 115  
defined in section 3365.01 of the Revised Code. It shall not 116  
apply to remedial or developmental courses. 117

(b) No student shall take a substitute examination or 118  
examination prescribed under division (B) (4) (a) of this section 119  
in place of the end-of-course examinations in English language 120  
arts I, English language arts II, Algebra I, or geometry 121  
prescribed under division (B) (2) of this section. 122

(c) The department shall consider additional assessments 123  
that may be used as substitute examinations in lieu of the end- 124  
of-course examinations prescribed under division (B) (2) of this 125  
section. 126

(5) The department shall do all of the following: 127

(a) Determine and designate at least five ranges of scores 128  
on each of the end-of-course examinations prescribed under 129  
division (B) (2) of this section, and substitute examinations 130  
prescribed under division (B) (4) of this section. Not later than 131  
sixty days after the designation of ranges of scores, the 132  
director of education and workforce shall conduct a public 133  
presentation before the standing committees of the house of 134  
representatives and the senate that consider primary and 135  
secondary education legislation regarding the designated range 136  
of scores. Each range of scores shall be considered to 137  
demonstrate a level of achievement so that any student attaining 138

a score within such range has achieved one of the following:	139
(i) An advanced level of skill;	140
(ii) An accomplished level of skill;	141
(iii) A proficient level of skill;	142
(iv) A basic level of skill;	143
(v) A limited level of skill.	144
(b) Determine a method by which to calculate a cumulative performance score based on the results of a student's end-of-course examinations or substitute examinations;	145 146 147
(c) Determine the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma under division (A) (2) of section 3313.618 of the Revised Code. However, no new minimum cumulative performance score shall be determined after October 17, 2019.	148 149 150 151 152
(d) Develop a table of corresponding score equivalents for the end-of-course examinations and substitute examinations in order to calculate student performance consistently across the different examinations.	153 154 155 156
A score of two on an advanced placement examination or a score of two or three on an international baccalaureate examination shall be considered equivalent to a proficient level of skill as specified under division (B) (5) (a) (iii) of this section.	157 158 159 160 161
(6) (a) A student who meets both of the following conditions shall not be required to take an end-of-course examination:	162 163 164
(i) The student received high school credit prior to July	165

1, 2015, for a course for which the end-of-course examination is prescribed.	166 167
(ii) The examination was not available for administration prior to July 1, 2015.	168 169
Receipt of credit for the course described in division (B) (6) (a) (i) of this section shall satisfy the requirement to take the end-of-course examination. A student exempted under division (B) (6) (a) of this section may take the applicable end-of-course examination at a later date.	170 171 172 173 174
(b) For purposes of determining whether a student who is exempt from taking an end-of-course examination under division (B) (6) (a) of this section has attained the cumulative score prescribed by division (B) (5) (c) of this section, such student shall select either of the following:	175 176 177 178 179
(i) The student is considered to have attained a proficient score on the end-of-course examination from which the student is exempt;	180 181 182
(ii) The student's final course grade shall be used in lieu of a score on the end-of-course examination from which the student is exempt.	183 184 185
The department, in consultation with the chancellor, shall adopt guidelines for purposes of calculating the corresponding final course grades and the minimum cumulative performance score that demonstrates the level of academic achievement necessary to earn a high school diploma.	186 187 188 189 190
(7) (a) Notwithstanding anything to the contrary in this section, the department may replace the algebra I end-of-course examination prescribed under division (B) (2) of this section with an algebra II end-of-course examination, beginning with the	191 192 193 194

2016-2017 school year for students who enter ninth grade on or	195
after July 1, 2016.	196
(b) If the department replaces the algebra I end-of-course	197
examination with an algebra II end-of-course examination as	198
authorized under division (B) (7) (a) of this section, both of the	199
following shall apply:	200
(i) A student who is enrolled in an advanced placement or	201
international baccalaureate course in algebra II shall take the	202
advanced placement or international baccalaureate examination in	203
lieu of the algebra II end-of-course examination.	204
(ii) A student who is enrolled in an algebra II course	205
under any other advanced standing program, as described in	206
section 3313.6013 of the Revised Code, shall not be required to	207
take the algebra II end-of-course examination. Instead, that	208
student's final course grade shall be used in lieu of the	209
examination.	210
(c) If a school district or school utilizes an integrated	211
approach to mathematics instruction, the district or school may	212
do either or both of the following:	213
(i) Administer an integrated mathematics I end-of-course	214
examination in lieu of the prescribed algebra I end-of-course	215
examination;	216
(ii) Administer an integrated mathematics II end-of-course	217
examination in lieu of the prescribed geometry end-of-course	218
examination.	219
(8) (a) For students entering the ninth grade for the first	220
time on or after July 1, 2014, but prior to July 1, 2015, the	221
assessment in the area of science shall be physical science or	222
biology. For students entering the ninth grade for the first	223



time on or after July 1, 2015, the assessment in the area of 224  
science shall be biology. 225

(b) Until July 1, 2019, the department shall make 226  
available the end-of-course examination in physical science for 227  
students who entered the ninth grade for the first time on or 228  
after July 1, 2014, but prior to July 1, 2015, and who wish to 229  
retake the examination. 230

(c) The department shall adopt rules prescribing the 231  
requirements for the end-of-course examination in science for 232  
students who entered the ninth grade for the first time on or 233  
after July 1, 2014, but prior to July 1, 2015, and who have not 234  
met the requirement prescribed by section 3313.618 of the 235  
Revised Code by July 1, 2019, due to a student's failure to 236  
satisfy division (A) (2) of section 3313.618 of the Revised Code. 237

(9) The department shall not develop or administer an end- 238  
of-course examination in the area of world history. 239

(10) The department, in consultation with the chancellor 240  
and the governor's office of workforce transformation, shall 241  
determine a competency score for both of the Algebra I and 242  
English language arts II end-of-course examinations for the 243  
purpose of graduation eligibility. 244

(C) The department shall convene a group of national 245  
experts, state experts, and local practitioners to provide 246  
advice, guidance, and recommendations for the alignment of 247  
standards and model curricula to the assessments and in the 248  
design of the end-of-course examinations prescribed by this 249  
section. 250

(D) Upon completion of the development of the assessment 251  
system, the department shall adopt rules prescribing all of the 252

following:	253
(1) A timeline and plan for implementation of the	254
assessment system, including a phased implementation if the	255
department determines such a phase-in is warranted;	256
(2) The date after which a person shall meet the	257
requirements of the entire assessment system as a prerequisite	258
for a diploma of adult education under section 3313.611 of the	259
Revised Code;	260
(3) Whether and the extent to which a person may be	261
excused from an American history end-of-course examination and	262
an American government end-of-course examination under division	263
(H) of section 3313.61 and division (B) (3) of section 3313.612	264
of the Revised Code;	265
(4) The date after which a person who has fulfilled the	266
curriculum requirement for a diploma but has not passed one or	267
more of the required assessments at the time the person	268
fulfilled the curriculum requirement shall meet the requirements	269
of the entire assessment system as a prerequisite for a high	270
school diploma under division (B) of section 3313.614 of the	271
Revised Code;	272
(5) The extent to which the assessment system applies to	273
students enrolled in a dropout recovery and prevention program	274
for purposes of division (F) of section 3313.603 <del>and section</del>	275
<del>3314.36</del> of the Revised Code.	276
(E) (1) Any person enrolled in a nonchartered nonpublic	277
school or any person who is exempt from attendance at school for	278
the purpose of home education under section 3321.042 of the	279
Revised Code may choose to participate in the system of	280
assessments administered under divisions (B) (1) and (2) of this	281

section. However, no such person shall be required to 282  
participate in the system of assessments. 283

(2) The department shall adopt rules for the 284  
administration and scoring of any assessments under division (E) 285  
(1) of this section. 286

(F) The department shall select at least one nationally 287  
recognized job skills assessment. Each school district shall 288  
administer that assessment to those students who opt to take it. 289  
The department shall reimburse a school district for the costs 290  
of administering that assessment. The department shall establish 291  
the minimum score a student must attain on the job skills 292  
assessment in order to demonstrate a student's workforce 293  
readiness and employability. The administration of the job 294  
skills assessment to a student under this division shall not 295  
exempt a school district from administering the assessments 296  
prescribed in division (B) of this section to that student. 297

**Sec. 3302.03.** Not later than the thirty-first day of July 298  
of each year, the department of education and workforce shall 299  
submit preliminary report card data for overall academic 300  
performance and for each separate performance measure for each 301  
school district, and each school building, in accordance with 302  
this section. 303

Annually, not later than the fifteenth day of September or 304  
the preceding Friday when that day falls on a Saturday or 305  
Sunday, the department shall assign a letter grade or 306  
performance rating for overall academic performance and for each 307  
separate performance measure for each school district, and each 308  
school building in a district, in accordance with this section. 309  
The department shall adopt rules pursuant to Chapter 119. of the 310  
Revised Code to implement this section. The department's rules 311

shall establish performance criteria for each letter grade or 312  
performance rating and prescribe a method by which the 313  
department assigns each letter grade or performance rating. For 314  
a school building to which any of the performance measures do 315  
not apply, due to grade levels served by the building, the 316  
department shall designate the performance measures that are 317  
applicable to the building and that must be calculated 318  
separately and used to calculate the building's overall grade or 319  
performance rating. The department shall issue annual report 320  
cards reflecting the performance of each school district, each 321  
building within each district, and for the state as a whole 322  
using the performance measures and letter grade or performance 323  
rating system described in this section. The department shall 324  
include on the report card for each district and each building 325  
within each district the most recent two-year trend data in 326  
student achievement for each subject and each grade. 327

(A) (1) For the 2012-2013 school year, the department shall 328  
issue grades as described in division (F) of this section for 329  
each of the following performance measures: 330

(a) Annual measurable objectives; 331

(b) Performance index score for a school district or 332  
building. Grades shall be awarded as a percentage of the total 333  
possible points on the performance index system as adopted by 334  
the department. In adopting benchmarks for assigning letter 335  
grades under division (A) (1) (b) of this section, the department 336  
shall designate ninety per cent or higher for an "A," at least 337  
seventy per cent but not more than eighty per cent for a "C," 338  
and less than fifty per cent for an "F." 339

(c) The extent to which the school district or building 340  
meets each of the applicable performance indicators established 341

by the department under section 3302.02 of the Revised Code and 342  
the percentage of applicable performance indicators that have 343  
been achieved. In adopting benchmarks for assigning letter 344  
grades under division (A) (1) (c) of this section, the department 345  
shall designate ninety per cent or higher for an "A." 346

(d) The four- and five-year adjusted cohort graduation 347  
rates. 348

In adopting benchmarks for assigning letter grades under 349  
division (A) (1) (d), (B) (1) (d), or (C) (1) (d) of this section, the 350  
department shall designate a four-year adjusted cohort 351  
graduation rate of ninety-three per cent or higher for an "A" 352  
and a five-year cohort graduation rate of ninety-five per cent 353  
or higher for an "A." 354

(e) The overall score under the value-added progress 355  
dimension of a school district or building, for which the 356  
department shall use up to three years of value-added data as 357  
available. The letter grade assigned for this growth measure 358  
shall be as follows: 359

(i) A score that is at least one standard error of measure 360  
above the mean score shall be designated as an "A." 361

(ii) A score that is less than one standard error of 362  
measure above but greater than one standard error of measure 363  
below the mean score shall be designated as a "B." 364

(iii) A score that is less than or equal to one standard 365  
error of measure below the mean score but greater than two 366  
standard errors of measure below the mean score shall be 367  
designated as a "C." 368

(iv) A score that is less than or equal to two standard 369  
errors of measure below the mean score but is greater than three 370

standard errors of measure below the mean score shall be 371  
designated as a "D." 372

(v) A score that is less than or equal to three standard 373  
errors of measure below the mean score shall be designated as an 374  
"F." 375

Whenever the value-added progress dimension is used as a 376  
graded performance measure in this division and divisions (B) 377  
and (C) of this section, whether as an overall measure or as a 378  
measure of separate subgroups, the grades for the measure shall 379  
be calculated in the same manner as prescribed in division (A) 380  
(1) (e) of this section. 381

(f) The value-added progress dimension score for a school 382  
district or building disaggregated for each of the following 383  
subgroups: students identified as gifted, students with 384  
disabilities, and students whose performance places them in the 385  
lowest quintile for achievement on a statewide basis. Each 386  
subgroup shall be a separate graded measure. 387

(2) The department shall adopt a resolution describing the 388  
performance measures, benchmarks, and grading system for the 389  
2012-2013 school year and shall adopt rules in accordance with 390  
Chapter 119. of the Revised Code that prescribe the methods by 391  
which the performance measures under division (A) (1) of this 392  
section shall be assessed and assigned a letter grade, including 393  
performance benchmarks for each letter grade. 394

At least forty-five days prior to the department's 395  
adoption of rules to prescribe the methods by which the 396  
performance measures under division (A) (1) of this section shall 397  
be assessed and assigned a letter grade, the department shall 398  
conduct a public presentation before the standing committees of 399

the house of representatives and the senate that consider 400  
education legislation describing such methods, including 401  
performance benchmarks. 402

(3) There shall not be an overall letter grade for a 403  
school district or building for the 2012-2013 school year. 404

(B) (1) For the 2013-2014 school year, the department shall 405  
issue grades as described in division (F) of this section for 406  
each of the following performance measures: 407

(a) Annual measurable objectives; 408

(b) Performance index score for a school district or 409  
building. Grades shall be awarded as a percentage of the total 410  
possible points on the performance index system as created by 411  
the department. In adopting benchmarks for assigning letter 412  
grades under division (B) (1) (b) of this section, the department 413  
shall designate ninety per cent or higher for an "A," at least 414  
seventy per cent but not more than eighty per cent for a "C," 415  
and less than fifty per cent for an "F." 416

(c) The extent to which the school district or building 417  
meets each of the applicable performance indicators established 418  
by the department under section 3302.03 of the Revised Code and 419  
the percentage of applicable performance indicators that have 420  
been achieved. In adopting benchmarks for assigning letter 421  
grades under division (B) (1) (c) of this section, the department 422  
shall designate ninety per cent or higher for an "A." 423

(d) The four- and five-year adjusted cohort graduation 424  
rates; 425

(e) The overall score under the value-added progress 426  
dimension of a school district or building, for which the 427  
department shall use up to three years of value-added data as 428

available. 429

(f) The value-added progress dimension score for a school 430  
district or building disaggregated for each of the following 431  
subgroups: students identified as gifted in superior cognitive 432  
ability and specific academic ability fields under Chapter 3324. 433  
of the Revised Code, students with disabilities, and students 434  
whose performance places them in the lowest quintile for 435  
achievement on a statewide basis. Each subgroup shall be a 436  
separate graded measure. 437

(g) Whether a school district or building is making 438  
progress in improving literacy in grades kindergarten through 439  
three, as determined using a method prescribed by the 440  
department. The department shall adopt rules to prescribe 441  
benchmarks and standards for assigning grades to districts and 442  
buildings for purposes of division (B) (1) (g) of this section. In 443  
adopting benchmarks for assigning letter grades under divisions 444  
(B) (1) (g) and (C) (1) (g) of this section, the department shall 445  
determine progress made based on the reduction in the total 446  
percentage of students scoring below grade level, or below 447  
proficient, compared from year to year on the reading and 448  
writing diagnostic assessments administered under section 449  
3301.0715 of the Revised Code and the third grade English 450  
language arts assessment under section 3301.0710 of the Revised 451  
Code, as applicable. The department shall designate for a "C" 452  
grade a value that is not lower than the statewide average value 453  
for this measure. No grade shall be issued under divisions (B) 454  
(1) (g) and (C) (1) (g) of this section for a district or building 455  
in which less than five per cent of students have scored below 456  
grade level on the diagnostic assessment administered to 457  
students in kindergarten under division (B) (1) of section 458  
3313.608 of the Revised Code. 459



(h) For a high mobility school district or building, an 460  
additional value-added progress dimension score. For this 461  
measure, the department shall use value-added data from the most 462  
recent school year available and shall use assessment scores for 463  
only those students to whom the district or building has 464  
administered the assessments prescribed by section 3301.0710 of 465  
the Revised Code for each of the two most recent consecutive 466  
school years. 467

As used in this division, "high mobility school district 468  
or building" means a school district or building where at least 469  
twenty-five per cent of its total enrollment is made up of 470  
students who have attended that school district or building for 471  
less than one year. 472

(2) In addition to the graded measures in division (B) (1) 473  
of this section, the department shall include on a school 474  
district's or building's report card all of the following 475  
without an assigned letter grade: 476

(a) The percentage of students enrolled in a district or 477  
building participating in advanced placement classes and the 478  
percentage of those students who received a score of three or 479  
better on advanced placement examinations; 480

(b) The number of a district's or building's students who 481  
have earned at least three college credits through dual 482  
enrollment or advanced standing programs, such as the post- 483  
secondary enrollment options program under Chapter 3365. of the 484  
Revised Code and state-approved career-technical courses offered 485  
through dual enrollment or statewide articulation, that appear 486  
on a student's transcript or other official document, either of 487  
which is issued by the institution of higher education from 488  
which the student earned the college credit. The credits earned 489

that are reported under divisions (B) (2) (b) and (C) (2) (c) of 490  
this section shall not include any that are remedial or 491  
developmental and shall include those that count toward the 492  
curriculum requirements established for completion of a degree. 493

(c) The percentage of students enrolled in a district or 494  
building who have taken a national standardized test used for 495  
college admission determinations and the percentage of those 496  
students who are determined to be remediation-free in accordance 497  
with standards adopted under division (F) of section 3345.061 of 498  
the Revised Code; 499

(d) The percentage of the district's or the building's 500  
students who receive industry-recognized credentials as approved 501  
under section 3313.6113 of the Revised Code. 502

(e) The percentage of students enrolled in a district or 503  
building who are participating in an international baccalaureate 504  
program and the percentage of those students who receive a score 505  
of four or better on the international baccalaureate 506  
examinations. 507

(f) The percentage of the district's or building's 508  
students who receive an honors diploma under division (B) of 509  
section 3313.61 of the Revised Code. 510

(3) The department shall adopt rules in accordance with 511  
Chapter 119. of the Revised Code that prescribe the methods by 512  
which the performance measures under divisions (B) (1) (f) and (B) 513  
(1) (g) of this section will be assessed and assigned a letter 514  
grade, including performance benchmarks for each grade. 515

At least forty-five days prior to the department's 516  
adoption of rules to prescribe the methods by which the 517  
performance measures under division (B) (1) of this section shall 518

be assessed and assigned a letter grade, the department shall 519  
conduct a public presentation before the standing committees of 520  
the house of representatives and the senate that consider 521  
education legislation describing such methods, including 522  
performance benchmarks. 523

(4) There shall not be an overall letter grade for a 524  
school district or building for the 2013-2014, 2014-2015, 2015- 525  
2016, and 2016-2017 school years. 526

(C) (1) For the 2014-2015, 2015-2016, 2016-2017, 2017-2018, 527  
2018-2019, 2019-2020, and 2020-2021 school years, the department 528  
shall issue grades as described in division (F) of this section 529  
for each of the performance measures prescribed in division (C) 530  
(1) of this section. The graded measures are as follows: 531

(a) Annual measurable objectives. For the 2017-2018 school 532  
year, the department shall not include any subgroup data in the 533  
annual measurable objectives that includes data from fewer than 534  
twenty-five students. For the 2018-2019 school year, the 535  
department shall not include any subgroup data in the annual 536  
measurable objectives that includes data from fewer than twenty 537  
students. Beginning with the 2019-2020 school year, the 538  
department shall not include any subgroup data in the annual 539  
measurable objectives that includes data from fewer than fifteen 540  
students. 541

(b) Performance index score for a school district or 542  
building. Grades shall be awarded as a percentage of the total 543  
possible points on the performance index system as created by 544  
the department. In adopting benchmarks for assigning letter 545  
grades under division (C) (1) (b) of this section, the department 546  
shall designate ninety per cent or higher for an "A," at least 547  
seventy per cent but not more than eighty per cent for a "C," 548

and less than fifty per cent for an "F." 549

(c) The extent to which the school district or building 550  
meets each of the applicable performance indicators established 551  
by the department under section 3302.03 of the Revised Code and 552  
the percentage of applicable performance indicators that have 553  
been achieved. In adopting benchmarks for assigning letter 554  
grades under division (C) (1) (c) of this section, the department 555  
shall designate ninety per cent or higher for an "A." 556

(d) The four- and five-year adjusted cohort graduation 557  
rates; 558

(e) The overall score under the value-added progress 559  
dimension, or another measure of student academic progress if 560  
adopted by the department, of a school district or building, for 561  
which the department shall use up to three years of value-added 562  
data as available. 563

In adopting benchmarks for assigning letter grades for 564  
overall score on value-added progress dimension under division 565  
(C) (1) (e) of this section, the department shall prohibit the 566  
assigning of a grade of "A" for that measure unless the 567  
district's or building's grade assigned for value-added progress 568  
dimension for all subgroups under division (C) (1) (f) of this 569  
section is a "C" or higher. 570

For the metric prescribed by division (C) (1) (e) of this 571  
section, the department may adopt a student academic progress 572  
measure to be used instead of the value-added progress 573  
dimension. If the department adopts such a measure, it also 574  
shall prescribe a method for assigning letter grades for the new 575  
measure that is comparable to the method prescribed in division 576  
(A) (1) (e) of this section. 577

(f) The value-added progress dimension score of a school district or building disaggregated for each of the following subgroups: students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code, students with disabilities, and students whose performance places them in the lowest quintile for achievement on a statewide basis, as determined by a method prescribed by the department. Each subgroup shall be a separate graded measure.

The department may adopt student academic progress measures to be used instead of the value-added progress dimension. If the department adopts such measures, it also shall prescribe a method for assigning letter grades for the new measures that is comparable to the method prescribed in division (A) (1) (e) of this section.

(g) Whether a school district or building is making progress in improving literacy in grades kindergarten through three, as determined using a method prescribed by the department. The department shall adopt rules to prescribe benchmarks and standards for assigning grades to a district or building for purposes of division (C) (1) (g) of this section. The department shall designate for a "C" grade a value that is not lower than the statewide average value for this measure. No grade shall be issued under division (C) (1) (g) of this section for a district or building in which less than five per cent of students have scored below grade level on the kindergarten diagnostic assessment under division (B) (1) of section 3313.608 of the Revised Code.

(h) For a high mobility school district or building, an additional value-added progress dimension score. For this

measure, the department shall use value-added data from the most recent school year available and shall use assessment scores for only those students to whom the district or building has administered the assessments prescribed by section 3301.0710 of the Revised Code for each of the two most recent consecutive school years.

As used in this division, "high mobility school district or building" means a school district or building where at least twenty-five per cent of its total enrollment is made up of students who have attended that school district or building for less than one year.

(2) In addition to the graded measures in division (C) (1) of this section, the department shall include on a school district's or building's report card all of the following without an assigned letter grade:

(a) The percentage of students enrolled in a district or building who have taken a national standardized test used for college admission determinations and the percentage of those students who are determined to be remediation-free in accordance with the standards adopted under division (F) of section 3345.061 of the Revised Code;

(b) The percentage of students enrolled in a district or building participating in advanced placement classes and the percentage of those students who received a score of three or better on advanced placement examinations;

(c) The percentage of a district's or building's students who have earned at least three college credits through advanced standing programs, such as the college credit plus program under Chapter 3365. of the Revised Code and state-approved career-

technical courses offered through dual enrollment or statewide 637  
articulation, that appear on a student's college transcript 638  
issued by the institution of higher education from which the 639  
student earned the college credit. The credits earned that are 640  
reported under divisions (B)(2)(b) and (C)(2)(c) of this section 641  
shall not include any that are remedial or developmental and 642  
shall include those that count toward the curriculum 643  
requirements established for completion of a degree. 644

(d) The percentage of the district's or building's 645  
students who receive an honor's diploma under division (B) of 646  
section 3313.61 of the Revised Code; 647

(e) The percentage of the district's or building's 648  
students who receive industry-recognized credentials as approved 649  
under section 3313.6113 of the Revised Code; 650

(f) The percentage of students enrolled in a district or 651  
building who are participating in an international baccalaureate 652  
program and the percentage of those students who receive a score 653  
of four or better on the international baccalaureate 654  
examinations; 655

(g) The results of the college and career-ready 656  
assessments administered under division (B)(1) of section 657  
3301.0712 of the Revised Code; 658

(h) Whether the school district or building has 659  
implemented a positive behavior intervention and supports 660  
framework in compliance with the requirements of section 3319.46 661  
of the Revised Code, notated as a "yes" or "no" answer. 662

(3) The department shall adopt rules pursuant to Chapter 663  
119. of the Revised Code that establish a method to assign an 664  
overall grade for a school district or school building for the 665

2017-2018 school year and each school year thereafter. The rules 666  
shall group the performance measures in divisions (C) (1) and (2) 667  
of this section into the following components: 668

(a) Gap closing, which shall include the performance 669  
measure in division (C) (1) (a) of this section; 670

(b) Achievement, which shall include the performance 671  
measures in divisions (C) (1) (b) and (c) of this section; 672

(c) Progress, which shall include the performance measures 673  
in divisions (C) (1) (e) and (f) of this section; 674

(d) Graduation, which shall include the performance 675  
measure in division (C) (1) (d) of this section; 676

(e) Kindergarten through third-grade literacy, which shall 677  
include the performance measure in division (C) (1) (g) of this 678  
section; 679

(f) Prepared for success, which shall include the 680  
performance measures in divisions (C) (2) (a), (b), (c), (d), (e), 681  
and (f) of this section. The department shall develop a method 682  
to determine a grade for the component in division (C) (3) (f) of 683  
this section using the performance measures in divisions (C) (2) 684  
(a), (b), (c), (d), (e), and (f) of this section. When 685  
available, the department may incorporate the performance 686  
measure under division (C) (2) (g) of this section into the 687  
component under division (C) (3) (f) of this section. When 688  
determining the overall grade for the prepared for success 689  
component prescribed by division (C) (3) (f) of this section, no 690  
individual student shall be counted in more than one performance 691  
measure. However, if a student qualifies for more than one 692  
performance measure in the component, the department may, in its 693  
method to determine a grade for the component, specify an 694



additional weight for such a student that is not greater than or 695  
equal to 1.0. In determining the overall score under division 696  
(C) (3) (f) of this section, the department shall ensure that the 697  
pool of students included in the performance measures aggregated 698  
under that division are all of the students included in the 699  
four- and five-year adjusted graduation cohort. 700

In the rules adopted under division (C) (3) of this 701  
section, the department shall adopt a method for determining a 702  
grade for each component in divisions (C) (3) (a) to (f) of this 703  
section. The department also shall establish a method to assign 704  
an overall grade of "A," "B," "C," "D," or "F" using the grades 705  
assigned for each component. The method the department adopts 706  
for assigning an overall grade shall give equal weight to the 707  
components in divisions (C) (3) (b) and (c) of this section. 708

At least forty-five days prior to the department's 709  
adoption of rules to prescribe the methods for calculating the 710  
overall grade for the report card, as required by this division, 711  
the department shall conduct a public presentation before the 712  
standing committees of the house of representatives and the 713  
senate that consider education legislation describing the format 714  
for the report card, weights that will be assigned to the 715  
components of the overall grade, and the method for calculating 716  
the overall grade. 717

(D) For the 2021-2022 school year and each school year 718  
thereafter, all of the following apply: 719

(1) The department shall include on a school district's or 720  
building's report card all of the following performance measures 721  
without an assigned performance rating: 722

(a) Whether the district or building meets the gifted 723

performance indicator under division (A) (2) of section 3302.02 724  
of the Revised Code and the extent to which the district or 725  
building meets gifted indicator performance benchmarks; 726

(b) The extent to which the district or building meets the 727  
chronic absenteeism indicator under division (A) (3) of section 728  
3302.02 of the Revised Code; 729

(c) Performance index score percentage for a district or 730  
building, which shall be calculated by dividing the district's 731  
or building's performance index score according to the 732  
performance index system created by the department by the 733  
maximum performance index score for a district or building. The 734  
maximum performance index score shall be as follows: 735

(i) For a building, the average of the highest two per 736  
cent of performance index scores achieved by a building for the 737  
school year for which a report card is issued; 738

(ii) For a district, the average of the highest two per 739  
cent of performance index scores achieved by a district for the 740  
school year for which a report card is issued. 741

(d) The overall score under the value-added progress 742  
dimension of a district or building, for which the department 743  
shall use three consecutive years of value-added data. In using 744  
three years of value-added data to calculate the measure 745  
prescribed under division (D) (1) (d) of this section, the 746  
department shall assign a weight of fifty per cent to the most 747  
recent year's data and a weight of twenty-five per cent to the 748  
data of each of the other years. However, if three consecutive 749  
years of value-added data is not available, the department shall 750  
use prior years of value-added data to calculate the measure, as 751  
follows: 752

(i) If two consecutive years of value-added data is not available, the department shall use one year of value-added data to calculate the measure. 753  
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(ii) If two consecutive years of value-added data is available, the department shall use two consecutive years of value-added data to calculate the measure. In using two years of value-added data to calculate the measure, the department shall assign a weight of sixty-seven per cent to the most recent year's data and a weight of thirty-three per cent to the data of the other year. 756  
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(e) The four-year adjusted cohort graduation rate. 763

(f) The five-year adjusted cohort graduation rate. 764

(g) The percentage of students in the district or building who score proficient or higher on the reading segment of the third grade English language arts assessment under section 3301.0710 of the Revised Code. 765  
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To the extent possible, the department shall include the results of the summer administration of the third grade reading assessment under section 3301.0710 of the Revised Code in the performance measures prescribed under divisions (D) (1) (g) and (h) of this section. 769  
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(h) Whether a district or building is making progress in improving literacy in grades kindergarten through three, as determined using a method prescribed by the department. The method shall determine progress made based on the reduction in the total percentage of students scoring below grade level, or below proficient, compared from year to year on the reading segments of the diagnostic assessments administered under section 3301.0715 of the Revised Code, including the 774  
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kindergarten readiness assessment, and the third grade English language arts assessment under section 3301.0710 of the Revised Code, as applicable. The method shall not include a deduction for students who did not pass the third grade English language arts assessment under section 3301.0710 of the Revised Code and were not on a reading improvement and monitoring plan.

The performance measure prescribed under division (D) (1) (h) of this section shall not be included on the report card of a district or building in which less than ten per cent of students have scored below grade level on the diagnostic assessment administered to students in kindergarten under division (B) (1) of section 3313.608 of the Revised Code.

(i) The percentage of students in a district or building who are promoted to the fourth grade and not subject to retention under division (A) (2) of section 3313.608 of the Revised Code;

(j) A post-secondary readiness measure. This measure shall be calculated by dividing the number of students included in the four-year adjusted graduation rate cohort who demonstrate post-secondary readiness by the total number of students included in the denominator of the four-year adjusted graduation rate cohort. Demonstration of post-secondary readiness shall include a student doing any of the following:

(i) Attaining a remediation-free score, in accordance with standards adopted under division (F) of section 3345.061 of the Revised Code, on a nationally standardized assessment prescribed under division (B) (1) of section 3301.0712 of the Revised Code;

(ii) Attaining required scores on three or more advanced placement or international baccalaureate examinations. The

required score for an advanced placement examination shall be a 811  
three or better. The required score for an international 812  
baccalaureate examination shall be a four or better. A student 813  
may satisfy this condition with any combination of advanced 814  
placement or international baccalaureate examinations. 815

(iii) Earning at least twelve college credits through 816  
advanced standing programs, such as the college credit plus 817  
program under Chapter 3365. of the Revised Code, an early 818  
college high school program under section 3313.6013 of the 819  
Revised Code, and state-approved career-technical courses 820  
offered through dual enrollment or statewide articulation, that 821  
appear on a student's college transcript issued by the 822  
institution of higher education from which the student earned 823  
the college credit. Earned credits reported under division (D) 824  
(1) (j) (iii) of this section shall include credits that count 825  
toward the curriculum requirements established for completion of 826  
a degree, but shall not include any remedial or developmental 827  
credits. 828

(iv) Meeting the additional criteria for an honors diploma 829  
under division (B) of section 3313.61 of the Revised Code; 830

(v) Earning an industry-recognized credential or license 831  
issued by a state agency or board for practice in a vocation 832  
that requires an examination for issuance of that license 833  
approved under section 3313.6113 of the Revised Code; 834

(vi) Satisfying any of the following conditions: 835

(I) Completing a pre-apprenticeship aligned with options 836  
established under section 3313.904 of the Revised Code in the 837  
student's chosen career field; 838

(II) Completing an apprenticeship registered with the 839

apprenticeship council established under section 4139.02 of the Revised Code in the student's chosen career field;

(III) Providing evidence of acceptance into an apprenticeship program after high school that is restricted to participants eighteen years of age or older.

(vii) Earning a cumulative score of proficient or higher on three or more state technical assessments aligned with section 3313.903 of the Revised Code in a single career pathway;

(viii) Earning an OhioMeansJobs-readiness seal established under section 3313.6112 of the Revised Code and completing two hundred fifty hours of an internship or other work-based learning experience that is either:

(I) Approved by the business advisory council established under section 3313.82 of the Revised Code that represents the student's district; or

(II) Aligned to the career-technical education pathway approved by the department in which the student is enrolled.

(ix) Providing evidence that the student has enlisted in a branch of the armed services of the United States as defined in section 5910.01 of the Revised Code.

A student who satisfies more than one of the conditions prescribed under this division shall be counted as one student for the purposes of calculating the measure prescribed under division (D) (1) (j) of this section.

(2) In addition to the performance measures under division (D) (1) of this section, the department shall report on a district's or building's report card all of the following data without an assigned performance rating:

(a) The applicable performance indicators established by the department under division (A) (1) of section 3302.02 of the Revised Code;	868 869 870
(b) The overall score under the value-added progress dimension of a district or building for the most recent school year;	871 872 873
(c) A composite of the overall scores under the value-added progress dimension of a district or building for the previous three school years or, if only two years of value-added data are available, for the previous two years;	874 875 876 877
(d) The percentage of students included in the four- and five-year adjusted cohort graduation rates of a district or building who did not receive a high school diploma under section 3313.61 or 3325.08 of the Revised Code. To the extent possible, the department shall disaggregate that data according to the following categories:	878 879 880 881 882 883
(i) Students who are still enrolled in the district or building and receiving general education services;	884 885
(ii) Students with an individualized education program, as defined in section 3323.01 of the Revised Code, who satisfied the conditions for a high school diploma under section 3313.61 or 3325.08 of the Revised Code, but opted not to receive a diploma and are still receiving education services;	886 887 888 889 890
(iii) Students with an individualized education program who have not yet satisfied conditions for a high school diploma under section 3313.61 or 3325.08 of the Revised Code and who are still receiving education services;	891 892 893 894
(iv) Students who are no longer enrolled in any district or building;	895 896

(v) Students who, upon enrollment in the district or building for the first time, had completed fewer units of high school instruction required under section 3313.603 of the Revised Code than other students in the four- or five-year adjusted cohort graduation rate.

The department may disaggregate the data prescribed under division (D) (2) (d) of this section according to other categories that the department determines are appropriate.

(e) The results of the kindergarten diagnostic assessment prescribed under division (D) of section 3301.079 of the Revised Code;

(f) Post-graduate outcomes for students who were enrolled in a district or building and received a high school diploma under section 3313.61 or 3325.08 of the Revised Code in the school year prior to the school year for which the report card is issued, including the percentage of students who:

(i) Enrolled in a post-secondary educational institution. To the extent possible, the department shall disaggregate that data according to whether the student enrolled in a four-year institution of higher education, a two-year institution of higher education, an Ohio technical center that provides adult technical education services and is recognized by the chancellor of higher education, or another type of post-secondary educational institution.

(ii) Entered an apprenticeship program registered with the apprenticeship council established under Chapter 4139. of the Revised Code. The department may include other job training programs with similar rigor and outcomes.

(iii) Attained gainful employment, as determined by the



department;	926
(iv) Enlisted in a branch of the armed forces of the United States, as defined in section 5910.01 of the Revised Code.	927 928 929
(g) Whether the school district or building has implemented a positive behavior intervention and supports framework in compliance with the requirements of section 3319.46 of the Revised Code, notated with a "yes" or "no";	930 931 932 933
(h) The number and percentage of high school seniors in each school year who completed the free application for federal student aid;	934 935 936
(i) Beginning with the report card issued under this section for the 2022-2023 school year, a student opportunity profile measure that reports data regarding the opportunities provided to students by a district or building. To the extent possible, and when appropriate, the data shall be disaggregated by grade level and subgroup. The measure also shall include data regarding the statewide average, the average for similar school districts, and, for a building, the average for the district in which the building is located. The measure shall include all of the following data for the district or building:	937 938 939 940 941 942 943 944 945 946
(i) The average ratio of teachers of record to students in each grade level in a district or building;	947 948
(ii) The average ratio of school counselors to students in a district or building;	949 950
(iii) The average ratio of nurses to students in a district or building;	951 952
(iv) The average ratio of licensed librarians and library	953

media specialists to students in a district or building;	954
(v) The average ratio of social workers to students in a district or building;	955 956
(vi) The average ratio of mental health professionals to students in a district or building;	957 958
(vii) The average ratio of paraprofessionals to students in a district or building;	959 960
(viii) The percentage of teachers with fewer than three years of experience teaching in any school;	961 962
(ix) The percentage of principals with fewer than three years of experience as a principal in any school;	963 964
(x) The percentage of teachers who are not teaching in the subject or field for which they are certified or licensed;	965 966
(xi) The percentage of kindergarten students who are enrolled in all-day kindergarten, as defined in section 3321.05 of the Revised Code;	967 968 969
(xii) The percentage of students enrolled in a performing or visual arts course;	970 971
(xiii) The percentage of students enrolled in a physical education or wellness course;	972 973
(xiv) The percentage of students enrolled in a world language course;	974 975
(xv) The percentage of students in grades seven through twelve who are enrolled in a career-technical education course;	976 977
(xvi) The percentage of students participating in one or more cocurricular activities;	978 979

(xvii) The percentage of students participating in advance placement courses, international baccalaureate courses, honors courses, or courses offered through the college credit plus program established under Chapter 3365. of the Revised Code;	980 981 982 983
(xviii) The percentage of students identified as gifted in superior cognitive ability and specific academic ability fields under Chapter 3324. of the Revised Code and receiving gifted services pursuant to that chapter;	984 985 986 987
(xix) The percentage of students participating in enrichment or support programs offered by the district or building outside of the normal school day;	988 989 990
(xx) The percentage of eligible students participating each school day in school breakfast programs offered by the district or building in accordance with section 3313.813 or 3313.818 of the Revised Code;	991 992 993 994
(xxi) The percentage of students who are transported by a school bus each school day;	995 996
(xxii) The ratio of portable technology devices that students may take home to the number of students.	997 998
The department shall include only opportunity measures at the building level for which data for buildings is available, as determined by a school district.	999 1000 1001
(j) (i) The percentage of students included in the four- and five-year adjusted cohort graduation rates of the district or building who completed all of grades nine through twelve while enrolled in the district or building;	1002 1003 1004 1005
(ii) The four-year adjusted cohort graduation rate for only those students who were continuously enrolled in the same	1006 1007

district or building for grades nine through twelve. 1008

(k) The percentage of students in the district or building 1009  
to whom both of the following apply: 1010

(i) The students are promoted to fourth grade and not 1011  
subject to retention under division (A) (2) of section 3313.608 1012  
of the Revised Code. 1013

(ii) The students completed all of the grade levels 1014  
offered prior to the fourth grade in the district or building. 1015

(3) Except as provided in division (D) (3) (f) of this 1016  
section, the department shall use the method prescribed under 1017  
rules adopted under division (D) (4) of this section to assign 1018  
performance ratings of "one star," "two stars," "three stars," 1019  
"four stars," or "five stars," as described in division (F) of 1020  
this section, for a district or building for the individual 1021  
components prescribed under division (D) (3) of this section. The 1022  
department also shall assign an overall performance rating for a 1023  
district or building in accordance with division (D) (3) (g) of 1024  
this section. The method shall use the performance measures 1025  
prescribed under division (D) (1) of this section to calculate 1026  
performance ratings for components. The method may report data 1027  
under division (D) (2) of this section with corresponding 1028  
components, but shall not use the data to calculate performance 1029  
ratings for that component. The performance measures and 1030  
reported data shall be grouped together into components as 1031  
follows: 1032

(a) Gap closing. In addition to other criteria determined 1033  
appropriate by the department, performance ratings for the gap 1034  
closing component shall reflect whether each of the following 1035  
performance measures are met or not met: 1036

(i) The gifted performance indicator as described in	1037
division (D) (1) (a) of this section;	1038
(ii) The chronic absenteeism indicator as described in	1039
division (D) (1) (b) of this section;	1040
(iii) For English learners, an English language	1041
proficiency improvement indicator established by the department;	1042
(iv) The subgroup graduation targets;	1043
(v) The subgroup achievement targets in both mathematics	1044
and English language arts;	1045
(vi) The subgroup progress targets in both mathematics and	1046
English language arts.	1047
Achievement and progress targets under division (D) (3) (a)	1048
of this section shall be calculated individually, and districts	1049
and buildings shall receive a status of met or not met on each	1050
measure. The department shall not require a subgroup of a	1051
district or building to meet both the achievement and progress	1052
targets at the same time to receive a status of met.	1053
The department shall not include any subgroup data in this	1054
measure that includes data from fewer than fifteen students. Any	1055
penalty for failing to meet the required assessment	1056
participation rate must be partially in proportion to how close	1057
the district or building was to meeting the rate requirement.	1058
(b) Achievement, which shall include the performance	1059
measure in division (D) (1) (c) of this section and the reported	1060
data in division (D) (2) (a) of this section. Performance ratings	1061
for the achievement component shall be awarded as a percentage	1062
of the maximum performance index score described in division (D)	1063
(1) (c) of this section.	1064

(c) Progress, which shall include the performance measure 1065  
in division (D) (1) (d) of this section and the reported data in 1066  
divisions (D) (2) (b) and (c) of this section; 1067

(d) Graduation, which shall include the performance 1068  
measures in divisions (D) (1) (e) and (f) of this section and the 1069  
reported data in divisions (D) (2) (d) and (j) of this section. 1070  
The four-year adjusted cohort graduation rate shall be assigned 1071  
a weight of sixty per cent and the five-year adjusted cohort 1072  
graduation rate shall be assigned a weight of forty per cent. 1073

(e) Early literacy, which shall include the performance 1074  
measures in divisions (D) (1) (g), (h), and (i) of this section 1075  
and the reported data in divisions (D) (2) (e) and (k) of this 1076  
section. 1077

If the measure prescribed under division (D) (1) (h) of this 1078  
section is included in a report card, performance ratings for 1079  
the early literacy component shall give a weight of forty per 1080  
cent to the measure prescribed under division (D) (1) (g) of this 1081  
section, a weight of thirty-five per cent to the measure 1082  
prescribed under division (D) (1) (i) of this section, and a 1083  
weight of twenty-five per cent to the measure prescribed under 1084  
division (D) (1) (h) of this section. 1085

If the measure prescribed under division (D) (1) (h) of this 1086  
section is not included in a report card of a district or 1087  
building, performance ratings for the early literacy component 1088  
shall give a weight of sixty per cent to the measure prescribed 1089  
under division (D) (1) (g) of this section and a weight of forty 1090  
per cent to the measure prescribed under division (D) (1) (i) of 1091  
this section. 1092

(f) College, career, workforce, and military readiness, 1093

which shall include the performance measure in division (D) (1) 1094  
(j) of this section and the reported data in division (D) (2) (f) 1095  
of this section. 1096

For the 2021-2022, 2022-2023, and 2023-2024 school years, 1097  
the department only shall report the data for, and not assign a 1098  
performance rating to, the college, career, workforce, and 1099  
military readiness component. The reported data shall include 1100  
the percentage of students who demonstrate post-secondary 1101  
readiness using any of the options described in division (D) (1) 1102  
(j) of this section. 1103

The department shall analyze the data included in the 1104  
performance measure prescribed in division (D) (1) (j) of this 1105  
section for the 2021-2022, 2022-2023, and 2023-2024 school 1106  
years. Using that data, the department shall develop and propose 1107  
rules for a method to assign a performance rating to the 1108  
college, career, workforce, and military readiness component 1109  
based on that measure. The method to assign a performance rating 1110  
shall not include a tiered structure or per student bonuses. The 1111  
rules shall specify that a district or building shall not 1112  
receive lower than a performance rating of three stars for the 1113  
component if the district's or building's performance on the 1114  
component meets or exceeds a level of improvement set by the 1115  
department. Notwithstanding division (D) (4) (b) of this section, 1116  
more than half of the total districts and buildings may earn a 1117  
performance rating of three stars on this component to account 1118  
for the districts and buildings that earned a performance rating 1119  
of three stars because they met or exceeded the level of 1120  
improvement set by the department. 1121

The department shall submit the rules to the joint 1122  
committee on agency rule review. The committee shall conduct at 1123

least one public hearing on the proposed rules and approve or 1124  
disapprove the rules. If the committee approves the rules, the 1125  
department shall adopt the rules in accordance with Chapter 119. 1126  
of the Revised Code. If the rules are adopted, the department 1127  
shall assign a performance rating to the college, career, 1128  
workforce, and military readiness component under the rules 1129  
beginning with the 2024-2025 school year, and for each school 1130  
year thereafter. If the committee disapproves the rules, the 1131  
component shall be included in the report card only as reported 1132  
data for the 2024-2025 school year, and each school year 1133  
thereafter. 1134

(g) (i) Except as provided for in division (D) (3) (g) (ii) of 1135  
this section, beginning with the 2022-2023 school year, under 1136  
the method prescribed under rules adopted in division (D) (4) of 1137  
this section, the department shall use the performance ratings 1138  
assigned for the components prescribed in divisions (D) (3) (a) to 1139  
(e) of this section to determine and assign an overall 1140  
performance rating of "one star," "one and one-half stars," "two 1141  
stars," "two and one-half stars," "three stars," "three and one- 1142  
half stars," "four stars," "four and one-half stars," or "five 1143  
stars" for a district or building. The method shall give equal 1144  
weight to the components in divisions (D) (3) (b) and (c) of this 1145  
section. The method shall give equal weight to the components in 1146  
divisions (D) (3) (a), (d), and (e) of this section. The 1147  
individual weights of each of the components prescribed in 1148  
divisions (D) (3) (a), (d), and (e) of this section shall be equal 1149  
to one-half of the weight given to the component prescribed in 1150  
division (D) (3) (b) of this section. 1151

(ii) If the joint committee on agency rule review approves 1152  
the department's rules regarding the college, career, workforce, 1153  
and military readiness component as described in division (D) (3) 1154



(f) of this section, for the 2024-2025 school year, and each 1155  
school year thereafter, the department's method shall use the 1156  
components in divisions (D) (3) (a), (b), (c), (d), (e), and (f) 1157  
of this section to calculate the overall performance rating. The 1158  
method shall give equal weight to the components in divisions 1159  
(D) (3) (b) and (c) of this section. The method shall give equal 1160  
weight to the components prescribed in divisions (D) (3) (a), (d), 1161  
(e), and (f) of this section. The individual weights of each of 1162  
the components prescribed in divisions (D) (3) (a), (d), (e), and 1163  
(f) of this section shall be equal to one-half the weight given 1164  
to the component prescribed in division (D) (3) (b) of this 1165  
section. 1166

If the joint committee on agency rule review disapproves 1167  
the department's rules regarding the college, career, workforce, 1168  
and military readiness component as described in division (D) (3) 1169  
(f) of this section, division (D) (3) (g) (ii) of this section does 1170  
not apply. 1171

(4) (a) The department shall adopt rules in accordance with 1172  
Chapter 119. of the Revised Code to establish the performance 1173  
criteria, benchmarks, and rating system necessary to implement 1174  
divisions (D) and (F) of this section, including the method for 1175  
the department to assign performance ratings under division (D) 1176  
(3) of this section. 1177

(b) In establishing the performance criteria, benchmarks, 1178  
and rating system, the department shall consult with stakeholder 1179  
groups and advocates that represent parents, community members, 1180  
students, business leaders, and educators from different school 1181  
typology regions. The department shall use data from prior 1182  
school years and simulations to ensure that there is meaningful 1183  
differentiation among districts and buildings across all 1184

performance ratings and that, except as permitted in division 1185  
(D) (3) (f) of this section, more than half of all districts or 1186  
buildings do not earn the same performance rating in any 1187  
component or overall performance rating. 1188

(c) The department shall adopt the rules prescribed by 1189  
division (D) (4) of this section not later than March 31, 2022. 1190  
However, the department shall notify districts and buildings of 1191  
the changes to the report card prescribed in law not later than 1192  
one week after September 30, 2021. 1193

(d) Prior to adopting or updating rules under division (D) 1194  
(4) of this section, the director of education and workforce and 1195  
the department shall conduct a public presentation before the 1196  
standing committees of the house of representatives and the 1197  
senate that consider primary and secondary education legislation 1198  
describing the format for the report card and the performance 1199  
criteria, benchmarks, and rating system, including the method to 1200  
assign performance ratings under division (D) (3) of this 1201  
section. 1202

(E) The department may develop a measure of student 1203  
academic progress for high school students using only data from 1204  
assessments in English language arts and mathematics. If the 1205  
department develops this measure, each school district and 1206  
applicable school building shall be assigned a separate letter 1207  
grade for it not sooner than the 2017-2018 school year. The 1208  
district's or building's grade for that measure shall not be 1209  
included in determining the district's or building's overall 1210  
letter grade. 1211

(F) (1) The letter grades assigned to a school district or 1212  
building under this section shall be as follows: 1213

(a) "A" for a district or school making excellent progress;	1214 1215
(b) "B" for a district or school making above average progress;	1216 1217
(c) "C" for a district or school making average progress;	1218
(d) "D" for a district or school making below average progress;	1219 1220
(e) "F" for a district or school failing to meet minimum progress.	1221 1222
(2) For the overall performance rating under division (D)	1223
(3) of this section, the department shall include a descriptor for each performance rating as follows:	1224 1225
(a) "Significantly exceeds state standards" for a performance rating of five stars;	1226 1227
(b) "Exceeds state standards" for a performance rating of four stars or four and one-half stars;	1228 1229
(c) "Meets state standards" for a performance rating of three stars or three and one-half stars;	1230 1231
(d) "Needs support to meet state standards" for a performance rating of two stars or two and one-half stars;	1232 1233
(e) "Needs significant support to meet state standards" for a performance rating of one star or one and one-half stars.	1234 1235
(3) For performance ratings for each component under divisions (D) (3) (a) to (f) of this section, the department shall include a description of each component and performance rating. The description shall include component-specific context to each performance rating earned, estimated comparisons to other school	1236 1237 1238 1239 1240

districts and buildings if appropriate, and any other 1241  
information determined by the department. The descriptions shall 1242  
be not longer than twenty-five words in length when possible. In 1243  
addition to such descriptions, the department shall include the 1244  
descriptors in division (F) (2) of this section for component 1245  
performance ratings. 1246

(4) Each report card issued under this section shall 1247  
include all of the following: 1248

(a) A graphic that depicts the performance ratings of a 1249  
district or school on a color scale. The color associated with a 1250  
performance rating of three stars shall be green and the color 1251  
associated with a performance rating of one star shall be red. 1252

(b) An arrow graphic that shows data trends for 1253  
performance ratings for school districts or buildings. The 1254  
department shall determine the data to be used for this graphic, 1255  
which shall include at least the three most recent years of 1256  
data. 1257

(c) A description regarding the weights that are assigned 1258  
to each component and used to determine an overall performance 1259  
rating, as prescribed under division (D) (3) (g) of this section, 1260  
which shall be included in the presentation of the overall 1261  
performance rating on each report card. 1262

(G) When reporting data on student achievement and 1263  
progress, the department shall disaggregate that data according 1264  
to the following categories: 1265

(1) Performance of students by grade-level; 1266

(2) Performance of students by race and ethnic group; 1267

(3) Performance of students by gender; 1268

(4) Performance of students grouped by those who have been enrolled in a district or school for three or more years;	1269 1270
(5) Performance of students grouped by those who have been enrolled in a district or school for more than one year and less than three years;	1271 1272 1273
(6) Performance of students grouped by those who have been enrolled in a district or school for one year or less;	1274 1275
(7) Performance of students grouped by those who are economically disadvantaged;	1276 1277
(8) Performance of students grouped by those who are enrolled in a conversion community school established under Chapter 3314. of the Revised Code;	1278 1279 1280
(9) Performance of students grouped by those who are classified as English learners;	1281 1282
(10) Performance of students grouped by those who have disabilities;	1283 1284
(11) Performance of students grouped by those who are classified as migrants;	1285 1286
(12) Performance of students grouped by those who are identified as gifted in superior cognitive ability and the specific academic ability fields of reading and math pursuant to Chapter 3324. of the Revised Code. In disaggregating specific academic ability fields for gifted students, the department shall use data for those students with specific academic ability in math and reading. If any other academic field is assessed, the department shall also include data for students with specific academic ability in that field as well.	1287 1288 1289 1290 1291 1292 1293 1294 1295
(13) Performance of students grouped by those who perform	1296

in the lowest quintile for achievement on a statewide basis, as 1297  
determined by a method prescribed by the department. 1298

The department may disaggregate data on student 1299  
performance according to other categories that the department 1300  
determines are appropriate. To the extent possible, the 1301  
department shall disaggregate data on student performance 1302  
according to any combinations of two or more of the categories 1303  
listed in divisions (G) (1) to (13) of this section that it deems 1304  
relevant. 1305

In reporting data pursuant to division (G) of this 1306  
section, the department shall not include in the report cards 1307  
any data statistical in nature that is statistically unreliable 1308  
or that could result in the identification of individual 1309  
students. For this purpose, the department shall not report 1310  
student performance data for any group identified in division 1311  
(G) of this section that contains less than ten students. If the 1312  
department does not report student performance data for a group 1313  
because it contains less than ten students, the department shall 1314  
indicate on the report card that is why data was not reported. 1315

(H) The department may include with the report cards any 1316  
additional education and fiscal performance data it deems 1317  
valuable. 1318

(I) The department shall include on each report card a 1319  
list of additional information collected by the department that 1320  
is available regarding the district or building for which the 1321  
report card is issued. When available, such additional 1322  
information shall include student mobility data disaggregated by 1323  
race and socioeconomic status, college enrollment data, and the 1324  
reports prepared under section 3302.031 of the Revised Code. 1325

The department shall maintain a site on the world wide 1326  
web. The report card shall include the address of the site and 1327  
shall specify that such additional information is available to 1328  
the public at that site. The department shall also provide a 1329  
copy of each item on the list to the superintendent of each 1330  
school district. The district superintendent shall provide a 1331  
copy of any item on the list to anyone who requests it. 1332

(J) (1) (a) Except as provided in division (J) (1) (b) of this 1333  
section, for any district that sponsors a conversion community 1334  
school under Chapter 3314. of the Revised Code, the department 1335  
shall combine data regarding the academic performance of 1336  
students enrolled in the community school with comparable data 1337  
from the schools of the district for the purpose of determining 1338  
the performance of the district as a whole on the report card 1339  
issued for the district under this section or section 3302.033 1340  
of the Revised Code. 1341

(b) The department shall not combine data from any 1342  
conversion community school that a district sponsors if a 1343  
majority of the students enrolled in the conversion community 1344  
school are enrolled in a dropout prevention and recovery program 1345  
that is operated by the school, ~~as described in division (B) (1)~~ 1346  
~~of section 3314.35 of the Revised Code.~~ The department shall 1347  
include as an addendum to the district's report card the ratings 1348  
and performance measures that are required under section 1349  
3314.017 of the Revised Code for any community school to which 1350  
division (J) (1) (b) of this section applies. This addendum shall 1351  
include, at a minimum, the data specified in divisions (C) (1) 1352  
(a), (C) (2), and (C) (3) of section 3314.017 of the Revised Code. 1353

(2) Any district that leases a building to a community 1354  
school located in the district or that enters into an agreement 1355

with a community school located in the district whereby the 1356  
district and the school endorse each other's programs may elect 1357  
to have data regarding the academic performance of students 1358  
enrolled in the community school combined with comparable data 1359  
from the schools of the district for the purpose of determining 1360  
the performance of the district as a whole on the district 1361  
report card. Any district that so elects shall annually file a 1362  
copy of the lease or agreement with the department. 1363

(3) Any municipal school district, as defined in section 1364  
3311.71 of the Revised Code, that sponsors a community school 1365  
located within the district's territory, or that enters into an 1366  
agreement with a community school located within the district's 1367  
territory whereby the district and the community school endorse 1368  
each other's programs, may exercise either or both of the 1369  
following elections: 1370

(a) To have data regarding the academic performance of 1371  
students enrolled in that community school combined with 1372  
comparable data from the schools of the district for the purpose 1373  
of determining the performance of the district as a whole on the 1374  
district's report card; 1375

(b) To have the number of students attending that 1376  
community school noted separately on the district's report card. 1377

The election authorized under division (J) (3) (a) of this 1378  
section is subject to approval by the governing authority of the 1379  
community school. 1380

Any municipal school district that exercises an election 1381  
to combine or include data under division (J) (3) of this 1382  
section, by the first day of October of each year, shall file 1383  
with the department documentation indicating eligibility for 1384



that election, as required by the department. 1385

(K) The department shall include on each report card the 1386  
percentage of teachers in the district or building who are 1387  
properly certified or licensed teachers, as defined in section 1388  
3319.074 of the Revised Code, and a comparison of that 1389  
percentage with the percentages of such teachers in similar 1390  
districts and buildings. 1391

(L) (1) In calculating English language arts, mathematics, 1392  
science, American history, or American government assessment 1393  
passage rates used to determine school district or building 1394  
performance under this section, the department shall include all 1395  
students taking an assessment with accommodation or to whom an 1396  
alternate assessment is administered pursuant to division (C) (1) 1397  
or (3) of section 3301.0711 of the Revised Code and all students 1398  
who take substitute examinations approved under division (B) (4) 1399  
of section 3301.0712 of the Revised Code in the subject areas of 1400  
science, American history and American government. 1401

(2) In calculating performance index scores, rates of 1402  
achievement on the performance indicators established by the 1403  
department under section 3302.02 of the Revised Code, and annual 1404  
measurable objectives for determining adequate yearly progress 1405  
for school districts and buildings under this section, the 1406  
department shall do all of the following: 1407

(a) Include for each district or building only those 1408  
students who are included in the ADM certified for the first 1409  
full school week of October and are continuously enrolled in the 1410  
district or building through the time of the spring 1411  
administration of any assessment prescribed by division (A) (1) 1412  
or (B) (1) of section 3301.0710 or division (B) of section 1413  
3301.0712 of the Revised Code that is administered to the 1414

student's grade level; 1415

(b) Include cumulative totals from both the fall and 1416  
spring administrations of the third grade English language arts 1417  
achievement assessment and, to the extent possible, the summer 1418  
administration of that assessment; 1419

(c) Include for each district or building any English 1420  
learner in accordance with the department's plan, as approved by 1421  
the United States secretary of education, to comply with the 1422  
"Elementary and Secondary Education Act of 1965," 20 U.S.C. 6311 1423  
to 6339. 1424

As used in this section, "English learner" has the same 1425  
meaning as in section 3301.0731 of the Revised Code. 1426

(M) Beginning with the 2015-2016 school year and at least 1427  
once every three years thereafter, the department shall review 1428  
and may adjust the benchmarks for assigning letter grades or 1429  
performance ratings to the performance measures and components 1430  
prescribed under divisions (C) (3), (D), and (E) of this section. 1431

**Sec. 3302.034.** (A) The department of education and 1432  
workforce shall adopt and specify measures in addition to those 1433  
included on the report card issued under section 3302.03 of the 1434  
Revised Code. The measures adopted under this section shall be 1435  
reported separately, as specified under division (B) of this 1436  
section, for each school district, each building in a district, 1437  
each community school established under Chapter 3314., each STEM 1438  
school established under Chapter 3326., and each college- 1439  
preparatory boarding school established under Chapter 3328. of 1440  
the Revised Code. The measures shall include at least the 1441  
following: 1442

(1) Data for students who have passed over a grade or 1443

subject area under an acceleration policy prescribed under	1444
section 3324.10 of the Revised Code;	1445
(2) The number of students who are economically	1446
disadvantaged as determined by the department;	1447
(3) The number of lead teachers employed by each district	1448
and each building once the data is available through the	1449
education management information system established under	1450
section 3301.0714 of the Revised Code;	1451
(4) The amount of students screened and identified as	1452
gifted under Chapter 3324. of the Revised Code;	1453
(5) Postgraduate student outcome data <del>as described under</del>	1454
<del>division (E) (2) (d) (ii) of section 3314.017 of the Revised Code,</del>	1455
<u>including postsecondary credit earned, nationally recognized</u>	1456
<u>career or technical certification, military enlistment, job</u>	1457
<u>placement, and attendance rate;</u>	1458
(6) Availability of courses in fine arts;	1459
(7) Participation with other school districts to provide	1460
career-technical education services to students.	1461
(B) The department shall report this information annually	1462
beginning with the 2013-2014 school year and make this	1463
information available on its web site for comparison purposes.	1464
<b>Sec. 3302.036.</b> (A) Notwithstanding anything in the Revised	1465
Code to the contrary, the department of education and workforce	1466
shall not assign an overall letter grade under division (C) (3)	1467
of section 3302.03 of the Revised Code for any school district	1468
or building for the 2014-2015, 2015-2016, or 2016-2017 school	1469
years, may, at the discretion of the department, not assign an	1470
individual grade to any component prescribed under division (C)	1471

(3) of section 3302.03 of the Revised Code, and shall not rank 1472  
school districts, community schools established under Chapter 1473  
3314. of the Revised Code, or STEM schools established under 1474  
Chapter 3326. of the Revised Code under section 3302.21 of the 1475  
Revised Code for those school years. The report card ratings 1476  
issued for the 2014-2015, 2015-2016, or 2016-2017 school years 1477  
shall not be considered in determining whether a school district 1478  
or a school is subject to sanctions or penalties. However, the 1479  
report card ratings of any previous or subsequent years shall be 1480  
considered in determining whether a school district or building 1481  
is subject to sanctions or penalties. Accordingly, the report 1482  
card ratings for the 2014-2015, 2015-2016, or 2016-2017 school 1483  
years shall have no effect in determining sanctions or 1484  
penalties, but shall not create a new starting point for 1485  
determinations that are based on ratings over multiple years. 1486

(B) The provisions from which a district or school is 1487  
exempt under division (A) of this section shall be the 1488  
following: 1489

(1) Any restructuring provisions established under this 1490  
chapter, except as required under the "No Child Left Behind Act 1491  
of 2001"; 1492

(2) Provisions for the Columbus city school pilot project 1493  
under section 3302.042 of the Revised Code; 1494

(3) Provisions for academic distress commissions under 1495  
former section 3302.10 of the Revised Code as it existed prior 1496  
to October 15, 2015. The provisions of this section do not apply 1497  
to academic distress commissions under the version of that 1498  
section as it exists on or after October 15, 2015. 1499

(4) Provisions prescribing new buildings where students 1500

are eligible for the educational choice scholarships under 1501  
section 3310.03 of the Revised Code; 1502

(5) Provisions defining "challenged school districts" in 1503  
which new start-up community schools were required to be 1504  
located, as prescribed in section 3314.02 of the Revised Code as 1505  
it existed prior to September 30, 2021; 1506

(6) Provisions prescribing ~~community school closure~~ 1507  
requirements for poorly performing community schools under 1508  
section 3314.35 or former section 3314.351 of the Revised Code\_ 1509  
as it existed prior to the effective date of this amendment. 1510

(C) Notwithstanding anything in the Revised Code to the 1511  
contrary and except as provided in Section 3 of H.B. 7 of the 1512  
131st general assembly, no school district, community school, or 1513  
STEM school shall utilize at any time during a student's 1514  
academic career a student's score on any assessment administered 1515  
under division (A) of section 3301.0710 or division (B) (2) of 1516  
section 3301.0712 of the Revised Code in the 2014-2015, 2015- 1517  
2016, or 2016-2017 school years as a factor in any decision to 1518  
promote or to deny the student promotion to a higher grade level 1519  
or in any decision to grant course credit. No individual student 1520  
score reports on such assessments administered in the 2014-2015, 1521  
2015-2016, or 2016-2017 school years shall be released, except 1522  
to a student's school district or school or to the student or 1523  
the student's parent or guardian. 1524

**Sec. 3302.12.** (A) (1) Except as provided in divisions (C) 1525  
and (D) of this section, this section applies to a school 1526  
building that ~~is ranked according to performance index score~~ 1527  
~~under section 3302.21 of the Revised Code in the lowest five per~~ 1528  
~~cent of public school buildings statewide for three consecutive~~ 1529  
~~years and that meets any combination of the following for three~~ 1530

~~consecutive years:~~ 1531

~~(a) The school building has received a grade of "F" for the value-added progress dimension under division (A) (1) (e), (B) (1) (e), or (C) (1) (e) of section 3302.03 of the Revised Code;~~ 1532  
1533  
1534

~~(b) The school building has received an overall grade of "F" under section 3302.03 of the Revised Code;~~ 1535  
1536

~~(c) The school building has received a performance rating of one star for progress under division (D) (3) (c) of section 3302.03 of the Revised Code;~~ 1537  
1538  
1539

~~(d) The school building has received an overall performance rating of less than two stars under section 3302.03 of the Revised Code~~ 1540  
is under the control of a school district 1541  
and, for the three most recent school years, meets all of the 1542  
following criteria: 1543  
1544

(a) The school building offers a grade level higher than three. 1545  
1546

(b) The school building has been ranked by the department of education and workforce according to performance index score in the bottom five per cent of all rated school buildings in the state. 1547  
1548  
1549  
1550

(c) The school building has been ranked by the department according to effect size under the value-added progress dimension in the bottom ten per cent of all ranked school buildings in the state. 1551  
1552  
1553  
1554

(2) The department shall provide notice to any school district in control of a school building to which this section applies of that fact. In the case of a building to which this section applies, the district board of education in control of 1555  
1556  
1557  
1558

that building shall do one of the following at the conclusion of 1559  
the school year in which the building first becomes subject to 1560  
this section: 1561

(a) Close the school and direct the district 1562  
superintendent to reassign the students enrolled in the school 1563  
to other school buildings that demonstrate higher academic 1564  
achievement; 1565

(b) ~~Contract with another school district or a nonprofit~~ 1566  
~~or for-profit entity with a demonstrated record of effectiveness~~ 1567  
one of the following entities to operate the school: 1568

(i) An education management organization or charter 1569  
management organization that is approved by the department and 1570  
meets at least one of the following conditions: 1571

(I) The organization has experience in improving school 1572  
performance; 1573

(II) The schools managed by the organization have received 1574  
an average of at least three stars in the achievement and 1575  
progress components under division (D) (3) of section 3302.03 of 1576  
the Revised Code on the most recent report card issued by the 1577  
department. 1578

(ii) A school district that meets both of the following: 1579

(I) The district has received an overall performance 1580  
rating of at least four stars on its most recent report card 1581  
issued under section 3302.03 of the Revised Code and has 1582  
experience improving school performance, as determined by the 1583  
department; 1584

(II) The district does not operate any school building 1585  
that is subject to this section. 1586

(iii) An educational service center that has experience in 1587  
school improvement and meets criteria established by the 1588  
department; 1589

(iv) A private college as defined in section 3365.01 of 1590  
the Revised Code that has experience in school improvement and 1591  
meets criteria established by the department; 1592

(v) A state institution of higher education as defined in 1593  
section 3345.011 of the Revised Code that has experience in 1594  
school improvement and meets criteria established by the 1595  
department. 1596

(c) Replace the principal and ~~all teaching~~ at least a 1597  
majority of licensed staff of the school and, upon request from 1598  
the new principal, exempt the school from all requested policies 1599  
and regulations of the board regarding curriculum and 1600  
instruction. The board also shall distribute funding to the 1601  
school in an amount that is at least equal to the product of the 1602  
per pupil amount of state and local revenues received by the 1603  
district multiplied by the student population of the school. 1604  
Notwithstanding any provision to the contrary in Chapter 4117. 1605  
of the Revised Code, this provision prevails over any 1606  
conflicting provisions of a collective bargaining agreement or 1607  
contract for employment entered into after the effective date of 1608  
this amendment. 1609

(d) ~~Reopen the school as a conversion community school~~ 1610  
~~under Chapter 3314. of the Revised Code~~ Consolidate the school 1611  
district that controls the school building into another school 1612  
district. Notwithstanding anything to the contrary in the 1613  
Revised Code, the state board of education shall approve any 1614  
transfer of territory made under this division. 1615



(e) Work with a department-approved external service 1616  
provider with expertise in school improvement. 1617

(3) If a school district board of education that controls 1618  
a school building subject to this section implements any 1619  
alternative to closure under division (A) (2) of this section or 1620  
any combination of alternatives to closure under that division 1621  
and the school building continues to meet the criteria described 1622  
in division (A) (1) of this section for the next three 1623  
consecutive school years, beginning with the school year in 1624  
which an alternative to closure is first implemented, the 1625  
district board of education with control of that building shall 1626  
close the school pursuant to division (A) (2) (a) of this section. 1627

(B) If an action taken by the board under division (A) (2) 1628  
of this section causes the district to no longer maintain all 1629  
grades kindergarten through twelve, as required by section 1630  
3311.29 of the Revised Code, the board shall enter into a 1631  
contract with another school district pursuant to section 1632  
3327.04 of the Revised Code for enrollment of students in the 1633  
schools of that other district to the extent necessary to comply 1634  
with the requirement of section 3311.29 of the Revised Code. 1635  
Notwithstanding any provision of the Revised Code to the 1636  
contrary, if the board enters into and maintains a contract 1637  
under section 3327.04 of the Revised Code, the district shall 1638  
not be considered to have failed to comply with the requirement 1639  
of section 3311.29 of the Revised Code. If, however, the 1640  
district board fails to or is unable to enter into or maintain 1641  
such a contract, the state board of education shall take all 1642  
necessary actions to dissolve the district as provided in 1643  
division (A) of section 3311.29 of the Revised Code. 1644

(C) If a particular school is required to restructure 1645

under this section and a petition with respect to that same 1646  
school has been filed and verified under divisions (B) and (C) 1647  
of section 3302.042 of the Revised Code, the provisions of that 1648  
section and the petition filed and verified under it shall 1649  
prevail over the provisions of this section and the school shall 1650  
be restructured under that section. However, if division (D)(1), 1651  
(2), or (3) of section 3302.042 of the Revised Code also applies 1652  
to the school, the school shall be subject to restructuring 1653  
under this section and not section 3302.042 of the Revised Code. 1654

If the provisions of this section conflict in any way with 1655  
the requirements of federal law, federal law shall prevail over 1656  
the provisions of this section. 1657

(D) If a school is restructured under this section, 1658  
section 3302.042 or 3302.10 of the Revised Code, or federal law, 1659  
the school shall not be required to restructure again under 1660  
state law for three consecutive years after the implementation 1661  
of that prior restructuring. 1662

(E) The department may adopt rules as necessary to 1663  
implement this section. 1664

(F) The department shall not consider report cards issued 1665  
prior to the 2024-2025 school year in determining whether a 1666  
school building is subject to this section. 1667

**Sec. 3313.413.** (A) As used in this section, "high- 1668  
performing community school" means either of the following: 1669

(1) A community school established under Chapter 3314. of 1670  
the Revised Code that meets the following conditions: 1671

(a) Except as provided in division (A)(1)(b) or (c) of 1672  
this section, the school both: 1673

(i) Has received either a grade of "A," "B," or "C" for 1674  
the performance index score under division (C) (1) (b) of section 1675  
3302.03 of the Revised Code or a performance rating of three 1676  
stars or higher for achievement under division (D) (3) (b) of that 1677  
section; or has increased its performance index score under 1678  
division (C) (1) (b) or (D) (1) (d) of section 3302.03 of the 1679  
Revised Code in each of the previous three years of operation; 1680  
and 1681

(ii) Has received either a grade of "A" or "B" for the 1682  
value-added progress dimension under division (C) (1) (e) of 1683  
section 3302.03 of the Revised Code or a performance rating of 1684  
four stars or higher for progress under division (D) (3) (c) of 1685  
that section on its most recent report card rating issued under 1686  
that section. 1687

(b) If the school serves only grades kindergarten through 1688  
three, the school received either a grade of "A" or "B" for 1689  
making progress in improving literacy in grades kindergarten 1690  
through three under division (C) (1) (g) of section 3302.03 of the 1691  
Revised Code or a performance rating of four stars or higher for 1692  
early literacy under division (D) (3) (e) of that section on its 1693  
most recent report card issued under that section. 1694

(c) If the school primarily serves students enrolled in a 1695  
dropout prevention and recovery program ~~as described in division~~ 1696  
~~(B) (1) of section 3314.35 of the Revised Code,~~ the school 1697  
received a rating of "exceeds standards" on its most recent 1698  
report card issued under section 3314.017 of the Revised Code. 1699

(2) A newly established community school that is 1700  
implementing a community school model that has a track record of 1701  
high-quality academic performance, as determined by the 1702  
department of education and workforce. 1703

(B) When a school district board of education decides to 1704  
dispose of real property it owns in its corporate capacity under 1705  
section 3313.41 of the Revised Code, the board shall first offer 1706  
that property to the governing authorities of all start-up 1707  
community schools, the boards of trustees of any college- 1708  
preparatory boarding schools, and the governing bodies of any 1709  
STEM schools that are located within the territory of the 1710  
district. Not later than sixty days after the district board 1711  
makes the offer, interested governing authorities, boards of 1712  
trustees, and governing bodies shall notify the district 1713  
treasurer in writing of the intention to purchase the property. 1714

The district board shall give priority to the governing 1715  
authorities of high-performing community schools that are 1716  
located within the territory of the district. 1717

(1) If more than one governing authority of a high- 1718  
performing community school notifies the district treasurer of 1719  
its intention to purchase the property pursuant to division (B) 1720  
of this section, the board shall conduct a public auction in the 1721  
manner required for auctions of district property under division 1722  
(A) of section 3313.41 of the Revised Code. Only the governing 1723  
authorities of high-performing community schools that notified 1724  
the district treasurer pursuant to division (B) of this section 1725  
are eligible to bid at the auction. 1726

(2) If no governing authority of a high-performing 1727  
community school notifies the district treasurer of its 1728  
intention to purchase the property pursuant to division (B) of 1729  
this section, the board shall then proceed with the offers from 1730  
all other start-up community schools, college-preparatory 1731  
boarding schools, and STEM schools made pursuant to that 1732  
division. If more than one such entity notifies the district 1733

treasurer of its intention to purchase the property pursuant to 1734  
division (B) of this section, the board shall conduct a public 1735  
auction in the manner required for auctions of district property 1736  
under division (A) of section 3313.41 of the Revised Code. Only 1737  
the entities that notified the district treasurer pursuant to 1738  
division (B) of this section are eligible to bid at the auction. 1739

(3) If no governing authority, board of trustees, or 1740  
governing body notifies the district treasurer of its intention 1741  
to purchase the property pursuant to division (B) of this 1742  
section, the district may then offer the property for sale in 1743  
the manner prescribed under divisions (A) to (F) of section 1744  
3313.41 of the Revised Code. 1745

(C) Notwithstanding anything to the contrary in sections 1746  
3313.41 and 3313.411 of the Revised Code, the purchase price of 1747  
any real property sold to any of the entities in accordance with 1748  
division (B) of this section shall not be more than the 1749  
appraised fair market value of that property as determined in an 1750  
appraisal of the property that is not more than one year old. 1751

(D) Not later than the first day of October of each year, 1752  
the department of education and workforce shall post in a 1753  
prominent location on its web site a list of schools that 1754  
qualify as high-performing community schools for purposes of 1755  
this section and section 3313.411 of the Revised Code. 1756

**Sec. 3314.012.** (A) Except as provided in section 3314.017 1757  
of the Revised Code, the department of education and workforce 1758  
shall issue an annual report card for each community school, 1759  
regardless of how long the school has been in operation. The 1760  
report card shall report the academic and financial performance 1761  
of the school . The report card shall include all information 1762  
applicable to school buildings under section 3302.03 of the 1763

Revised Code. The ratings a community school receives under 1764  
section 3302.03 of the Revised Code for its first two full 1765  
school years shall not be considered toward ~~automatic closure of~~ 1766  
~~the school under~~ actions required for poorly performing 1767  
community schools under section 3314.35 of the Revised Code or 1768  
any other matter that is based on report card ratings. 1769

(B) Upon receipt of a copy of a contract between a sponsor 1770  
and a community school entered into under this chapter, the 1771  
department shall notify the community school of the specific 1772  
model report card that will be used for that school. 1773

(C) Report cards shall be distributed to the parents of 1774  
all students in the community school, to the members of the 1775  
board of education of the school district in which the community 1776  
school is located, and to any person who requests one from the 1777  
department. 1778

**Sec. 3314.016.** This section applies to any entity that 1779  
sponsors a community school, regardless of whether section 1780  
3314.021 or 3314.027 of the Revised Code exempts the entity from 1781  
the requirement to be approved for sponsorship under divisions 1782  
(A) (2) and (B) (1) of section 3314.015 of the Revised Code. The 1783  
office of Ohio school sponsorship established under section 1784  
3314.029 of the Revised Code shall be rated under division (B) 1785  
of this section, but divisions (A) and (C) of this section do 1786  
not apply to the office. 1787

(A) An entity that sponsors a community school shall be 1788  
permitted to enter into contracts under section 3314.03 of the 1789  
Revised Code to sponsor additional community schools only if the 1790  
entity meets all of the following criteria: 1791

(1) The entity is in compliance with all provisions of 1792

this chapter requiring sponsors of community schools to report 1793  
data or information to the department of education and 1794  
workforce. 1795

(2) The entity is not rated as "ineffective" under 1796  
division (B)(6) of this section. 1797

(3) Except as set forth in sections 3314.021 and 3314.027 1798  
of the Revised Code, the entity has received approval from and 1799  
entered into an agreement with the department pursuant to 1800  
section 3314.015 of the Revised Code. 1801

(B)(1) The department shall develop and implement an 1802  
evaluation system that annually rates and assigns an overall 1803  
rating to each entity that sponsors a community school. The 1804  
department, not later than the first day of February of each 1805  
year, shall post on the department's web site the framework for 1806  
the evaluation system, including technical documentation that 1807  
the department intends to use to rate sponsors for the next 1808  
school year. The department shall solicit public comment on the 1809  
evaluation system for thirty consecutive days. Not later than 1810  
the first day of April of each year, the department shall 1811  
compile and post on the department's web site all public 1812  
comments that were received during the public comment period. 1813  
The evaluation system shall be posted on the department's web 1814  
site by the fifteenth day of July of each school year. Any 1815  
changes to the evaluation system after that date shall take 1816  
effect the following year. The evaluation system shall be based 1817  
on the following components: 1818

(a) Academic performance of students enrolled in community 1819  
schools sponsored by the same entity. The academic performance 1820  
component shall be derived from the performance measures 1821  
prescribed for the state report cards under section 3302.03 or 1822

3314.017 of the Revised Code, and shall be based on the 1823  
performance of the schools for the school year for which the 1824  
evaluation is conducted. In addition to the academic performance 1825  
for a specific school year, the academic performance component 1826  
shall also include year-to-year changes in the overall sponsor 1827  
portfolio. For a community school for which no graded 1828  
performance measures are applicable or available, the department 1829  
shall use nonreport card performance measures specified in the 1830  
contract between the community school and the sponsor under 1831  
division (A) (4) of section 3314.03 of the Revised Code. 1832

(b) Adherence by a sponsor to the quality practices 1833  
prescribed by the department under division (B) (3) of this 1834  
section. For a sponsor that was rated "effective" or "exemplary" 1835  
on its most recent rating, the department may evaluate that 1836  
sponsor's adherence to quality practices once over a period of 1837  
three years. If the department elects to evaluate a sponsor once 1838  
over a period of three years, the most recent rating for a 1839  
sponsor's adherence to quality practices shall be used when 1840  
determining an annual overall rating conducted under this 1841  
section. 1842

(c) Compliance with all applicable laws and administrative 1843  
rules by an entity that sponsors a community school. 1844

Under the evaluation system prescribed under division (B) 1845  
(1) of this section, the department shall not assign an overall 1846  
rating of "ineffective" or lower to an entity that sponsors a 1847  
community school solely because that entity received no points 1848  
on one of the components prescribed under that division. 1849

(2) In calculating an academic performance component, the 1850  
department shall exclude all community schools that have been in 1851  
operation for not more than two full school years and all 1852



community schools ~~described in division (B) (2) of section~~ 1853  
~~3314.35 of the Revised Code~~ in which a majority of the enrolled 1854  
students are children with disabilities receiving special 1855  
education and related services in accordance with Chapter 3323. 1856  
of the Revised Code. However, the academic performance of the 1857  
community schools ~~described in division (B) (2) of section~~ 1858  
~~3314.35 of the Revised Code~~ in which a majority of the enrolled 1859  
students are children with disabilities receiving special 1860  
education and related services in accordance with Chapter 3323. 1861  
of the Revised Code shall be reported, but shall not be used as 1862  
a factor when determining a sponsoring entity's rating under 1863  
this section. 1864

(3) The department, in consultation with entities that 1865  
sponsor community schools, shall prescribe quality practices for 1866  
community school sponsors and develop an instrument to measure 1867  
adherence to those quality practices. The quality practices 1868  
shall be based on standards developed by the national 1869  
association of charter school authorizers or any other 1870  
nationally organized community school organization. 1871

(4) (a) The department may permit peer review of a 1872  
sponsor's adherence to the quality practices prescribed under 1873  
division (B) (3) of this section. Peer reviewers shall be limited 1874  
to individuals employed by sponsors rated "effective" or 1875  
"exemplary" on the most recent ratings conducted under this 1876  
section. 1877

(b) The department shall require individuals participating 1878  
in peer review under division (B) (4) (a) of this section to 1879  
complete training approved or established by the department. 1880

(c) The department may enter into an agreement with 1881  
another entity to provide training to individuals conducting 1882

peer review of sponsors. Prior to entering into an agreement 1883  
with an entity, the department shall review and approve of the 1884  
entity's training program. 1885

(5) The director of education and workforce shall adopt 1886  
rules in accordance with Chapter 119. of the Revised Code 1887  
prescribing standards for measuring compliance with applicable 1888  
laws and rules under division (B) (1) (c) of this section. 1889

(6) The department annually shall rate all entities that 1890  
sponsor community schools as either "exemplary," "effective," 1891  
"ineffective," or "poor," based on the components prescribed by 1892  
division (B) of this section, where each component is weighted 1893  
equally. A separate rating shall be given by the department for 1894  
each component of the evaluation system. 1895

The department shall publish the ratings between the first 1896  
day of October and the fifteenth day of November. 1897

Prior to the publication of the final ratings, the 1898  
department shall designate and provide notice of a period of at 1899  
least ten business days during which each sponsor may review the 1900  
information used by the department to determine the sponsor's 1901  
rating on the components prescribed by division (B) (1) of this 1902  
section. If the sponsor believes there is an error in the 1903  
department's evaluation, the sponsor may request adjustments to 1904  
the rating of any of those components based on documentation 1905  
previously submitted as part of an evaluation. The sponsor shall 1906  
provide to the department any necessary evidence or information 1907  
to support the requested adjustments. The department shall 1908  
review the evidence and information, determine whether an 1909  
adjustment is valid, and promptly notify the sponsor of its 1910  
determination and reasons. If any adjustments to the data could 1911  
result in a change to the rating on the applicable component or 1912

to the overall rating, the department shall recalculate the ratings prior to publication.

The department shall provide training on an annual basis regarding the evaluation system prescribed under this section. The training shall, at a minimum, describe methodology, timelines, and data required for the evaluation system. The first training session shall occur not later than March 2, 2016. Beginning in 2018, the training shall be made available to each entity that sponsors a community school by the fifteenth day of July of each year and shall include guidance on any changes made to the evaluation system.

(7) (a) Entities with an overall rating of "exemplary" for the two most recent years in which the entity was evaluated may take advantage of the following incentives:

(i) Renewal of the written agreement with the department, not to exceed ten years, provided that the entity consents to continued evaluation of adherence to quality practices as described in division (B) (1) (b) of this section;

(ii) The ability to extend the term of the contract between the sponsoring entity and the community school beyond the term described in the written agreement with the department;

(iii) An exemption from the preliminary agreement and contract adoption and execution deadline requirements prescribed in division (D) of section 3314.02 of the Revised Code;

(iv) An exemption from the automatic contract expiration requirement, should a new community school fail to open by the thirtieth day of September of the calendar year in which the community school contract is executed;

(v) No limit on the number of community schools the entity

may sponsor; 1942

(vi) No territorial restrictions on sponsorship. 1943

An entity may continue to sponsor any community schools 1944  
with which it entered into agreements under division (B) (7) (a) 1945  
(v) or (vi) of this section while rated "exemplary," 1946  
notwithstanding the fact that the entity later receives a lower 1947  
overall rating. 1948

(b) Entities with an overall rating of "exemplary" or 1949  
"effective" for the three most recent years in which the entity 1950  
was evaluated shall be evaluated by the department once every 1951  
three years. 1952

(c) (i) Entities that receive an overall rating of 1953  
"ineffective" shall be prohibited from sponsoring any new or 1954  
additional community schools during the time in which the 1955  
sponsor is rated as "ineffective" and shall be subject to a 1956  
quality improvement plan based on correcting the deficiencies 1957  
that led to the "ineffective" rating, with timelines and 1958  
benchmarks that have been established by the department. 1959

(ii) Entities that receive an overall rating of 1960  
"ineffective" on their three most recent ratings shall have all 1961  
sponsorship authority revoked. Within thirty days after 1962  
receiving its third rating of "ineffective," the entity may 1963  
appeal the revocation of its sponsorship authority to the 1964  
director, who shall appoint an independent hearing officer to 1965  
conduct a hearing in accordance with Chapter 119. of the Revised 1966  
Code. The hearing shall be conducted within thirty days after 1967  
receipt of the notice of appeal. Within forty-five days after 1968  
the hearing is completed, the director shall determine whether 1969  
the revocation is appropriate based on the hearing conducted by 1970

the independent hearing officer, and if determined appropriate, 1971  
the revocation shall be confirmed. 1972

(d) Entities that receive an overall rating of "poor" 1973  
shall have all sponsorship authority revoked. Within thirty days 1974  
after receiving a rating of "poor," the entity may appeal the 1975  
revocation of its sponsorship authority to the director, who 1976  
shall appoint an independent hearing officer to conduct a 1977  
hearing in accordance with Chapter 119. of the Revised Code. The 1978  
hearing shall be conducted within thirty days after receipt of 1979  
the notice of appeal. Within forty-five days after the hearing 1980  
is completed, the director shall determine whether the 1981  
revocation is appropriate based on the hearing conducted by the 1982  
independent hearing officer, and if determined appropriate, the 1983  
revocation shall be confirmed. 1984

(8) For the 2014-2015 school year and each school year 1985  
thereafter, student academic performance prescribed under 1986  
division (B)(1)(a) of this section shall include student 1987  
academic performance data from community schools that primarily 1988  
serve students enrolled in a dropout prevention and recovery 1989  
program. 1990

(C) If the governing authority of a community school 1991  
enters into a contract with a sponsor prior to the date on which 1992  
the sponsor is prohibited from sponsoring additional schools 1993  
under division (A) of this section and the school has not opened 1994  
for operation as of that date, that contract shall be void and 1995  
the school shall not open until the governing authority secures 1996  
a new sponsor by entering into a contract with the new sponsor 1997  
under section 3314.03 of the Revised Code. However, the 1998  
department's office of Ohio school sponsorship, established 1999  
under section 3314.029 of the Revised Code, may assume the 2000

sponsorship of the school until the earlier of the expiration of 2001  
two school years or until a new sponsor is secured by the 2002  
school's governing authority. A community school sponsored by 2003  
the department under this division shall not be included when 2004  
calculating the maximum number of directly authorized community 2005  
schools permitted under division (A) (3) of section 3314.029 of 2006  
the Revised Code. 2007

(D) When an entity's authority to sponsor schools is 2008  
revoked pursuant to division (B) (7) (c) or (d) of this section, 2009  
the office of Ohio school sponsorship shall assume sponsorship 2010  
of any schools with which the original sponsor has contracted 2011  
for the remainder of that school year. The office may continue 2012  
sponsoring those schools until the earlier of: 2013

(1) The expiration of two school years from the time that 2014  
sponsorship is revoked; 2015

(2) When a new sponsor is secured by the governing 2016  
authority pursuant to division (C) (1) of section 3314.02 of the 2017  
Revised Code. 2018

Any community school sponsored under this division shall 2019  
not be counted for purposes of directly authorized community 2020  
schools under division (A) (3) of section 3314.029 of the Revised 2021  
Code. 2022

~~(E) The department shall recalculate the rating for the 2023  
2017-2018 school year for each sponsor of a community school 2024  
that receives recalculated ratings pursuant to division (I) of 2025  
section 3314.017 of the Revised Code. 2026~~

**Sec. 3314.017.** (A) The department of education and 2027  
workforce shall prescribe by rules, adopted in accordance with 2028  
Chapter 119. of the Revised Code, an academic performance rating 2029

and report card system that satisfies the requirements of this 2030  
section for community schools that primarily serve students 2031  
enrolled in dropout prevention and recovery programs ~~as~~ 2032  
~~described in division (B) (1) of section 3314.35 of the Revised~~ 2033  
~~Code,~~ to be used in lieu of the system prescribed under sections 2034  
3302.03 and 3314.012 of the Revised Code beginning with the 2035  
2012-2013 school year. Each such school shall comply with the 2036  
testing and reporting requirements of the system as prescribed 2037  
by the department. 2038

(B) Nothing in this section shall at any time relieve a 2039  
school from its obligations under the "No Child Left Behind Act 2040  
of 2001" to make "adequate yearly progress," as both that act 2041  
and that term are defined in section 3302.01 of the Revised 2042  
Code, or a school's amenability to the provisions of section 2043  
3302.04 or 3302.041 of the Revised Code. The department shall 2044  
continue to report each school's performance as required by the 2045  
act and to enforce applicable sanctions under section 3302.04 or 2046  
3302.041 of the Revised Code. 2047

(C) The rules adopted by the department shall prescribe 2048  
the following performance indicators for the rating and report 2049  
card system required by this section: 2050

(1) Graduation rate for each of the following student 2051  
cohorts: 2052

(a) The number of students who graduate in four years or 2053  
less with a regular high school diploma divided by the number of 2054  
students who form the adjusted cohort for the graduating class; 2055

(b) The number of students who graduate in five years with 2056  
a regular high school diploma divided by the number of students 2057  
who form the adjusted cohort for the four-year graduation rate; 2058

(c) The number of students who graduate in six years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate;

(d) The number of students who graduate in seven years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate;

(e) The number of students who graduate in eight years with a regular high school diploma divided by the number of students who form the adjusted cohort for the four-year graduation rate.

(2) The percentage of twelfth-grade students currently enrolled in the school who have attained the designated passing score on all of the state high school achievement assessments required under division (B)(1) of section 3301.0710 of the Revised Code or the cumulative performance score on the end-of-course examinations prescribed under division (B)(2) of section 3301.0712 of the Revised Code, whichever applies, and other students enrolled in the school, regardless of grade level, who are within three months of their twenty-second birthday and have attained the designated passing score on all of the state high school achievement assessments or the cumulative performance score on the end-of-course examinations, whichever applies, by their twenty-second birthday;

(3) Annual measurable objectives as defined in section 3302.01 of the Revised Code;

(4) Growth in student achievement in reading, or mathematics, or both as measured by separate nationally norm-referenced assessments that have developed appropriate standards



for students enrolled in dropout prevention and recovery 2088  
programs, adopted or approved by the department. 2089

(D) (1) The department's rules shall prescribe the expected 2090  
performance levels and benchmarks for each of the indicators 2091  
prescribed by division (C) of this section based on the data 2092  
gathered by the department under division (G) of this section 2093  
and simulations created by the department. Based on a school's 2094  
level of attainment or nonattainment of the expected performance 2095  
levels and benchmarks for each of the indicators, the department 2096  
shall rate each school in one of the following categories: 2097

(a) Exceeds standards; 2098

(b) Meets standards; 2099

(c) Does not meet standards. 2100

(2) The department's rules shall establish all of the 2101  
following: 2102

(a) Performance levels and benchmarks for the indicators 2103  
described in divisions (C) (1) to (3) of this section; 2104

(b) Both of the following: 2105

(i) Performance levels and benchmarks for the indicator 2106  
described in division (C) (4) of this section; 2107

(ii) Standards for awarding a community school ~~described~~ 2108  
~~in division (B) (1) of section 3314.35 of the Revised Code that~~ 2109  
primarily serves students enrolled in a dropout prevention and 2110  
recovery program an overall designation, which shall be 2111  
calculated as follows: 2112

(I) Thirty per cent of the score shall be based on the 2113  
indicators described in division (C) (1) of this section that are 2114

applicable to the school year for which the overall designation  
is granted.

(II) Thirty per cent of the score shall be based on the  
indicators described in division (C) (4) of this section.

(III) Twenty per cent of the score shall be based on the  
indicators described in division (C) (2) of this section.

(IV) Twenty per cent of the score shall be based on the  
indicators described in division (C) (3) of this section.

(3) If both of the indicators described in divisions (C)  
(1) and (2) of this section improve by ten per cent for two  
consecutive years, a school shall be rated not less than "meets  
standards."

The rating and the relevant performance data for each  
school shall be posted on the department's web site, and a copy  
of the rating and data shall be provided to the governing  
authority of the community school.

~~(E) (1) For the 2012-2013 school year, the department shall  
issue a report card including the following performance  
measures, but without a performance rating as described in  
divisions (D) (1) (a) to (c) of this section, for each community  
school described in division (B) (1) of section 3314.35 of the  
Revised Code:~~

~~(a) The graduation rates as described in divisions (C) (1)  
(a) to (c) of this section;~~

~~(b) The percentage of twelfth-grade students and other  
students who have attained a designated passing score on high  
school achievement assessments as described in division (C) (2)  
of this section;~~

<del>(e) The statewide average for the graduation rates and</del>	2143
<del>assessment passage rates described in divisions (C) (1) (a) to (c)</del>	2144
<del>and (C) (2) of this section;—</del>	2145
<del>(d) Annual measurable objectives described in division (C)</del>	2146
<del>(3) of this section.—</del>	2147
<del>(2) For the 2013-2014 school year, the department shall</del>	2148
<del>issue a report card including the following performance measures</del>	2149
<del>for each community school described in division (B) (1) of</del>	2150
<del>section 3314.35 of the Revised Code:—</del>	2151
<del>(a) The graduation rates described in divisions (C) (1) (a)</del>	2152
<del>to (d) of this section, including a performance rating as</del>	2153
<del>described in divisions (D) (1) (a) to (c) of this section;—</del>	2154
<del>(b) The percentage of twelfth-grade students and other</del>	2155
<del>students who have attained a designated passing score on high-</del>	2156
<del>school achievement assessments as described in division (C) (2)</del>	2157
<del>of this section, including a performance rating as described in</del>	2158
<del>divisions (D) (1) (a) to (c) of this section;—</del>	2159
<del>(c) Annual measurable objectives described in division (C)</del>	2160
<del>(3) of this section, including a performance rating as described</del>	2161
<del>in divisions (D) (1) (a) to (c) of this section;—</del>	2162
<del>(d) Both of the following without an assigned rating:—</del>	2163
<del>(i) Growth in annual student achievement in reading and</del>	2164
<del>mathematics described in division (C) (4) of this section, if</del>	2165
<del>available;—</del>	2166
<del>(ii) Student outcome data, including postsecondary credit</del>	2167
<del>earned, nationally recognized career or technical certification,</del>	2168
<del>military enlistment, job placement, and attendance rate.—</del>	2169
<del>(3) <u>(E)</u> Beginning with the 2014-2015 school year, and</del>	2170

annually thereafter, the department shall issue a report card 2171  
for each community school ~~described in division (B) (1) of~~ 2172  
~~section 3314.35 of the Revised Code~~ that primarily serves 2173  
students enrolled in a dropout prevention and recovery program 2174  
that includes all of the following performance measures, 2175  
including a performance rating for each measure as described in 2176  
divisions (D) (1) (a) to (c) of this section: 2177

~~(a)~~ (1) The graduation rates as described in division (C) 2178  
(1) of this section; 2179

~~(b)~~ (2) The percentage of twelfth-grade students and other 2180  
students who have attained a designated passing score on high 2181  
school achievement assessments as described in division (C) (2) 2182  
of this section; 2183

~~(c)~~ (3) Annual measurable objectives described in division 2184  
(C) (3) of this section, including a performance rating as 2185  
described in divisions (D) (1) (a) to (c) of this section; 2186

~~(d)~~ (4) Growth in annual student achievement in reading and 2187  
mathematics as described in division (C) (4) of this section; 2188

~~(e)~~ (5) An overall performance designation for the school 2189  
calculated under rules adopted under division (D) (2) of this 2190  
section. 2191

The department shall also include student outcome data, 2192  
including postsecondary credit earned, nationally recognized 2193  
career or technical certification, military enlistment, job 2194  
placement, attendance rate, and progress on closing achievement 2195  
gaps for each school. This information shall not be included in 2196  
the calculation of a school's performance rating. 2197

(F) Not later than the thirty-first day of July of each 2198  
year, the department shall submit preliminary report card data 2199

for overall academic performance for each performance measure 2200  
prescribed in division ~~(E) (3)~~ (E) of this section for each 2201  
community school to which this section applies. 2202

(G) For the purposes of prescribing performance levels and 2203  
benchmarks under division (D) of this section, the department 2204  
shall gather and analyze data from prior school years for each 2205  
community school ~~described in division (B) (1) of section 3314.35~~ 2206  
~~of the Revised Code~~ that primarily serves students enrolled in a 2207  
dropout prevention and recovery program. Each such school shall 2208  
cooperate with the department. The department shall consult with 2209  
stakeholder groups in performing its duties under this division. 2210

(H) The department shall review the performance levels and 2211  
benchmarks for performance indicators in the report card issued 2212  
under this section and may revise them based on the data 2213  
collected under division (G) of this section. 2214

~~(I) For the purposes of division (F) of section 3314.351~~ 2215  
~~of the Revised Code, the department shall recalculate the~~ 2216  
~~ratings for each school under division (E) (3) of this section~~ 2217  
~~for the 2017-2018 school year and calculate the ratings under~~ 2218  
~~that division for the 2018-2019 school year using the indicators~~ 2219  
~~prescribed by division (C) of this section, as it exists on and~~ 2220  
~~after July 18, 2019.~~ 2221

**Sec. 3314.0211.** (A) No community school to which either of 2222  
the following applies shall be eligible to merge with one or 2223  
more other community schools under this section: 2224

(1) The school has met the performance criteria ~~for~~ 2225  
~~required closure~~ specified in division (A) of section 3314.35 ~~or~~ 2226  
~~division (A) of section 3314.351 of the Revised Code~~ for at 2227  
least one of the two most recent school years. 2228

(2) The school has been notified of the sponsor's intent to terminate or not renew the school's contract pursuant to section 3314.07 of the Revised Code.

(B) Two or more community schools may merge upon the adoption of a resolution by the governing authority of each school involved in the merger. Any merger shall take effect on the first day of July of the year specified in the resolution.

(C) Not less than sixty days prior to the effective date of a merger under division (B) of this section, each community school involved in the merger shall do both of the following:

(1) Provide a copy of the resolution to the school's sponsor;

(2) Notify the department of education and workforce of all of the following:

(a) The impending merger;

(b) The effective date of the merger;

(c) The school that will be designated as the surviving school in accordance with section 1702.41 of the Revised Code;

(d) The entity that will sponsor the surviving school.

(D) Notwithstanding anything to the contrary in the Revised Code, the governing authority of the surviving community school shall enter into a new contract with the school's sponsor under section 3314.03 of the Revised Code.

(E) No sponsor shall do either of the following:

(1) Assign the sponsor's existing contract with a merging community school to the sponsor of the surviving community school;

(2) Assume an existing contract from the sponsor of a community school involved in a merger under division (B) of this section. 2256  
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Division (E) of this section shall not apply to the office of Ohio school sponsorship established under section 3314.029 of the Revised Code. 2259  
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(F) (1) The department shall issue a report card under section 3302.03 or 3314.017 of the Revised Code for the surviving community school. 2262  
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(2) Notwithstanding anything to the contrary in division (A) of section 3314.012 of the Revised Code, all report card ratings associated with the surviving school, whether issued before or after the merger, shall be used for purposes of section 3314.35 ~~or 3314.351~~ of the Revised Code and any other matter that is based on report card ratings or measures. 2265  
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(G) Nothing in this section shall exempt a community school from closure under section 3314.35 ~~or 3314.351~~ of the Revised Code. 2271  
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2273

**Sec. 3314.03.** A copy of every contract entered into under this section shall be filed with the director of education and workforce. The department of education and workforce shall make available on its web site a copy of every approved, executed contract filed with the director under this section. 2274  
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(A) Each contract entered into between a sponsor and the governing authority of a community school shall specify the following: 2279  
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2281

(1) That the school shall be established as either of the following: 2282  
2283

(a) A nonprofit corporation established under Chapter 1702. of the Revised Code, if established prior to April 8, 2003;	2284 2285 2286
(b) A public benefit corporation established under Chapter 1702. of the Revised Code, if established after April 8, 2003.	2287 2288
(2) The education program of the school, including the school's mission, the characteristics of the students the school is expected to attract, the ages and grades of students, and the focus of the curriculum;	2289 2290 2291 2292
(3) The academic goals to be achieved and the method of measurement that will be used to determine progress toward those goals, which shall include the statewide achievement assessments;	2293 2294 2295 2296
(4) Performance standards, including but not limited to all applicable report card measures set forth in section 3302.03 or 3314.017 of the Revised Code, by which the success of the school will be evaluated by the sponsor;	2297 2298 2299 2300
(5) The admission standards of section 3314.06 of the Revised Code and, if applicable, section 3314.061 of the Revised Code;	2301 2302 2303
(6) (a) Dismissal procedures;	2304
(b) A requirement that the governing authority adopt an attendance policy that includes a procedure for automatically withdrawing a student from the school if the student without a legitimate excuse fails to participate in seventy-two consecutive hours of the learning opportunities offered to the student.	2305 2306 2307 2308 2309 2310
(7) The ways by which the school will achieve racial and	2311



ethnic balance reflective of the community it serves;	2312
(8) Requirements for financial audits by the auditor of state. The contract shall require financial records of the school to be maintained in the same manner as are financial records of school districts, pursuant to rules of the auditor of state. Audits shall be conducted in accordance with section 117.10 of the Revised Code.	2313 2314 2315 2316 2317 2318
(9) An addendum to the contract outlining the facilities to be used that contains at least the following information:	2319 2320
(a) A detailed description of each facility used for instructional purposes;	2321 2322
(b) The annual costs associated with leasing each facility that are paid by or on behalf of the school;	2323 2324
(c) The annual mortgage principal and interest payments that are paid by the school;	2325 2326
(d) The name of the lender or landlord, identified as such, and the lender's or landlord's relationship to the operator, if any.	2327 2328 2329
(10) Qualifications of employees, including both of the following:	2330 2331
(a) A requirement that the school's classroom teachers be licensed in accordance with sections 3319.22 to 3319.31 of the Revised Code, except that a community school may engage noncertificated persons to teach up to twelve hours or forty hours per week pursuant to section 3319.301 of the Revised Code;	2332 2333 2334 2335 2336
(b) A prohibition against the school employing an individual described in section 3314.104 of the Revised Code in any position.	2337 2338 2339

(11) That the school will comply with the following requirements:	2340 2341
(a) The school will provide learning opportunities to a minimum of twenty-five students for a minimum of nine hundred twenty hours per school year.	2342 2343 2344
(b) The governing authority will purchase liability insurance, or otherwise provide for the potential liability of the school.	2345 2346 2347
(c) The school will be nonsectarian in its programs, admission policies, employment practices, and all other operations, and will not be operated by a sectarian school or religious institution.	2348 2349 2350 2351
(d) The school will comply with sections 9.90, 9.91, 109.65, 121.22, 149.43, 2151.357, 2151.421, 2313.19, 3301.0710, 3301.0711, 3301.0712, 3301.0715, 3301.0729, 3301.948, 3302.037, 3313.472, 3313.50, 3313.539, 3313.5310, 3313.5318, 3313.5319, 3313.608, 3313.609, 3313.6012, 3313.6013, 3313.6014, 3313.6020, 3313.6024, 3313.6025, 3313.6026, 3313.6028, 3313.6029, 3313.643, 3313.648, 3313.6411, 3313.6413, 3313.66, 3313.661, 3313.662, 3313.666, 3313.667, 3313.668, 3313.669, 3313.6610, 3313.67, 3313.671, 3313.672, 3313.673, 3313.69, 3313.71, 3313.716, 3313.718, 3313.719, 3313.7112, 3313.7117, 3313.721, 3313.753, 3313.80, 3313.814, 3313.816, 3313.817, 3313.818, 3313.819, 3313.86, 3313.89, 3313.96, 3319.073, 3319.077, 3319.078, 3319.0812, 3319.238, 3319.318, 3319.321, 3319.324, 3319.39, 3319.391, 3319.393, 3319.41, 3319.46, 3319.614, 3320.01, 3320.02, 3320.03, 3320.04, 3321.01, 3321.041, 3321.13, 3321.14, 3321.141, 3321.17, 3321.18, 3321.19, 3322.20, 3322.24, 3323.251, 3327.10, 4111.17, 4113.52, 5502.262, 5502.703, and 5705.391 and Chapters 117., 1347., 2744., 3365., 3742., 4112., 4123., 4141.,	2352 2353 2354 2355 2356 2357 2358 2359 2360 2361 2362 2363 2364 2365 2366 2367 2368 2369

and 4167. of the Revised Code as if it were a school district 2370  
and will comply with section 3301.0714 of the Revised Code in 2371  
the manner specified in section 3314.17 of the Revised Code. 2372

(e) The school shall comply with Chapter 102. and section 2373  
2921.42 of the Revised Code. 2374

(f) The school will comply with sections 3313.61, 2375  
3313.611, 3313.614, 3313.617, 3313.618, and 3313.6114 of the 2376  
Revised Code, except that for students who enter ninth grade for 2377  
the first time before July 1, 2010, the requirement in sections 2378  
3313.61 and 3313.611 of the Revised Code that a person must 2379  
successfully complete the curriculum in any high school prior to 2380  
receiving a high school diploma may be met by completing the 2381  
curriculum adopted by the governing authority of the community 2382  
school rather than the curriculum specified in Title XXXIII of 2383  
the Revised Code or any rules of the department. Beginning with 2384  
students who enter ninth grade for the first time on or after 2385  
July 1, 2010, the requirement in sections 3313.61 and 3313.611 2386  
of the Revised Code that a person must successfully complete the 2387  
curriculum of a high school prior to receiving a high school 2388  
diploma shall be met by completing the requirements prescribed 2389  
in section 3313.6027 and division (C) of section 3313.603 of the 2390  
Revised Code, unless the person qualifies under division (D) or 2391  
(F) of that section. Each school shall comply with the plan for 2392  
awarding high school credit based on demonstration of subject 2393  
area competency, and beginning with the 2017-2018 school year, 2394  
with the updated plan that permits students enrolled in seventh 2395  
and eighth grade to meet curriculum requirements based on 2396  
subject area competency adopted by the department under 2397  
divisions (J) (1) and (2) of section 3313.603 of the Revised 2398  
Code. Beginning with the 2018-2019 school year, the school shall 2399  
comply with the framework for granting units of high school 2400

credit to students who demonstrate subject area competency 2401  
through work-based learning experiences, internships, or 2402  
cooperative education developed by the department under division 2403  
(J) (3) of section 3313.603 of the Revised Code. 2404

(g) The school governing authority will submit within four 2405  
months after the end of each school year a report of its 2406  
activities and progress in meeting the goals and standards of 2407  
divisions (A) (3) and (4) of this section and its financial 2408  
status to the sponsor and the parents of all students enrolled 2409  
in the school. 2410

(h) The school, unless it is an internet- or computer- 2411  
based community school, will comply with section 3313.801 of the 2412  
Revised Code as if it were a school district. 2413

(i) If the school is the recipient of moneys from a grant 2414  
awarded under the federal race to the top program, Division (A), 2415  
Title XIV, Sections 14005 and 14006 of the "American Recovery 2416  
and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115, 2417  
the school will pay teachers based upon performance in 2418  
accordance with section 3317.141 and will comply with section 2419  
3319.111 of the Revised Code as if it were a school district. 2420

(j) If the school operates a preschool program that is 2421  
licensed by the department under sections 3301.52 to 3301.59 of 2422  
the Revised Code, the school shall comply with sections 3301.50 2423  
to 3301.59 of the Revised Code and the minimum standards for 2424  
preschool programs prescribed in rules adopted by the department 2425  
of children and youth under section 3301.53 of the Revised Code. 2426

(k) The school will comply with sections 3313.6021 and 2427  
3313.6023 of the Revised Code as if it were a school district 2428  
unless it is either of the following: 2429

- (i) An internet- or computer-based community school; 2430
- (ii) A community school in which a majority of the 2431  
enrolled students are children with disabilities ~~as described in~~ 2432  
~~division (B) (2) of section 3314.35 of the Revised Code~~receiving 2433  
special education and related services in accordance with 2434  
Chapter 3323. of the Revised Code. 2435
- (1) The school will comply with section 3321.191 of the 2436  
Revised Code, unless it is an internet- or computer-based 2437  
community school that is subject to section 3314.261 of the 2438  
Revised Code. 2439
- (12) Arrangements for providing health and other benefits 2440  
to employees; 2441
- (13) The length of the contract, which shall begin at the 2442  
beginning of an academic year. No contract shall exceed five 2443  
years unless such contract has been renewed pursuant to division 2444  
(E) of this section. 2445
- (14) The governing authority of the school, which shall be 2446  
responsible for carrying out the provisions of the contract; 2447
- (15) A financial plan detailing an estimated school budget 2448  
for each year of the period of the contract and specifying the 2449  
total estimated per pupil expenditure amount for each such year. 2450
- (16) Requirements and procedures regarding the disposition 2451  
of employees of the school in the event the contract is 2452  
terminated or not renewed pursuant to section 3314.07 of the 2453  
Revised Code; 2454
- (17) Whether the school is to be created by converting all 2455  
or part of an existing public school or educational service 2456  
center building or is to be a new start-up school, and if it is 2457

a converted public school or service center building, 2458  
specification of any duties or responsibilities of an employer 2459  
that the board of education or service center governing board 2460  
that operated the school or building before conversion is 2461  
delegating to the governing authority of the community school 2462  
with respect to all or any specified group of employees provided 2463  
the delegation is not prohibited by a collective bargaining 2464  
agreement applicable to such employees; 2465

(18) Provisions establishing procedures for resolving 2466  
disputes or differences of opinion between the sponsor and the 2467  
governing authority of the community school; 2468

(19) A provision requiring the governing authority to 2469  
adopt a policy regarding the admission of students who reside 2470  
outside the district in which the school is located. That policy 2471  
shall comply with the admissions procedures specified in 2472  
sections 3314.06 and 3314.061 of the Revised Code and, at the 2473  
sole discretion of the authority, shall do one of the following: 2474

(a) Prohibit the enrollment of students who reside outside 2475  
the district in which the school is located; 2476

(b) Permit the enrollment of students who reside in 2477  
districts adjacent to the district in which the school is 2478  
located; 2479

(c) Permit the enrollment of students who reside in any 2480  
other district in the state. 2481

(20) A provision recognizing the authority of the 2482  
department to take over the sponsorship of the school in 2483  
accordance with the provisions of division (C) of section 2484  
3314.015 of the Revised Code; 2485

(21) A provision recognizing the sponsor's authority to 2486

assume the operation of a school under the conditions specified 2487  
in division (B) of section 3314.073 of the Revised Code; 2488

(22) A provision recognizing both of the following: 2489

(a) The authority of public health and safety officials to 2490  
inspect the facilities of the school and to order the facilities 2491  
closed if those officials find that the facilities are not in 2492  
compliance with health and safety laws and regulations; 2493

(b) The authority of the department as the community 2494  
school oversight body to suspend the operation of the school 2495  
under section 3314.072 of the Revised Code if the department has 2496  
evidence of conditions or violations of law at the school that 2497  
pose an imminent danger to the health and safety of the school's 2498  
students and employees and the sponsor refuses to take such 2499  
action. 2500

(23) A description of the learning opportunities that will 2501  
be offered to students including both classroom-based and non- 2502  
classroom-based learning opportunities that is in compliance 2503  
with criteria for student participation established by the 2504  
department under division (H) (2) of section 3314.08 of the 2505  
Revised Code; 2506

(24) The school will comply with sections 3302.04 and 2507  
3302.041 of the Revised Code, except that any action required to 2508  
be taken by a school district pursuant to those sections shall 2509  
be taken by the sponsor of the school. 2510

(25) Beginning in the 2006-2007 school year, the school 2511  
will open for operation not later than the thirtieth day of 2512  
September each school year, unless the mission of the school as 2513  
specified under division (A) (2) of this section is solely to 2514  
serve dropouts. In its initial year of operation, if the school 2515

fails to open by the thirtieth day of September, or within one 2516  
year after the adoption of the contract pursuant to division (D) 2517  
of section 3314.02 of the Revised Code if the mission of the 2518  
school is solely to serve dropouts, the contract shall be void. 2519

(26) Whether the school's governing authority is planning 2520  
to seek designation for the school as a STEM school equivalent 2521  
under section 3326.032 of the Revised Code; 2522

(27) That the school's attendance and participation 2523  
policies will be available for public inspection; 2524

(28) That the school's attendance and participation 2525  
records shall be made available to the department, auditor of 2526  
state, and school's sponsor to the extent permitted under and in 2527  
accordance with the "Family Educational Rights and Privacy Act 2528  
of 1974," 88 Stat. 571, 20 U.S.C. 1232g, as amended, and any 2529  
regulations promulgated under that act, and section 3319.321 of 2530  
the Revised Code; 2531

(29) If a school operates using the blended learning 2532  
model, as defined in section 3301.079 of the Revised Code, all 2533  
of the following information: 2534

(a) An indication of what blended learning model or models 2535  
will be used; 2536

(b) A description of how student instructional needs will 2537  
be determined and documented; 2538

(c) The method to be used for determining competency, 2539  
granting credit, and promoting students to a higher grade level; 2540

(d) The school's attendance requirements, including how 2541  
the school will document participation in learning 2542  
opportunities; 2543



(e) A statement describing how student progress will be monitored;	2544 2545
(f) A statement describing how private student data will be protected;	2546 2547
(g) A description of the professional development activities that will be offered to teachers.	2548 2549
(30) A provision requiring that all moneys the school's operator loans to the school, including facilities loans or cash flow assistance, must be accounted for, documented, and bear interest at a fair market rate;	2550 2551 2552 2553
(31) A provision requiring that, if the governing authority contracts with an attorney, accountant, or entity specializing in audits, the attorney, accountant, or entity shall be independent from the operator with which the school has contracted.	2554 2555 2556 2557 2558
(32) A provision requiring the governing authority to adopt an enrollment and attendance policy that requires a student's parent to notify the community school in which the student is enrolled when there is a change in the location of the parent's or student's primary residence.	2559 2560 2561 2562 2563
(33) A provision requiring the governing authority to adopt a student residence and address verification policy for students enrolling in or attending the school.	2564 2565 2566
(B) The community school shall also submit to the sponsor a comprehensive plan for the school. The plan shall specify the following:	2567 2568 2569
(1) The process by which the governing authority of the school will be selected in the future;	2570 2571

(2) The management and administration of the school;	2572
(3) If the community school is a currently existing public school or educational service center building, alternative arrangements for current public school students who choose not to attend the converted school and for teachers who choose not to teach in the school or building after conversion;	2573 2574 2575 2576 2577
(4) The instructional program and educational philosophy of the school;	2578 2579
(5) Internal financial controls.	2580
When submitting the plan under this division, the school shall also submit copies of all policies and procedures regarding internal financial controls adopted by the governing authority of the school.	2581 2582 2583 2584
(C) A contract entered into under section 3314.02 of the Revised Code between a sponsor and the governing authority of a community school may provide for the community school governing authority to make payments to the sponsor, which is hereby authorized to receive such payments as set forth in the contract between the governing authority and the sponsor. The total amount of such payments for monitoring, oversight, and technical assistance of the school shall not exceed three per cent of the total amount of payments for operating expenses that the school receives from the state.	2585 2586 2587 2588 2589 2590 2591 2592 2593 2594
(D) The contract shall specify the duties of the sponsor which shall be in accordance with the written agreement entered into with the department under division (B) of section 3314.015 of the Revised Code and shall include the following:	2595 2596 2597 2598
(1) Monitor the community school's compliance with all laws applicable to the school and with the terms of the	2599 2600

contract; 2601

(2) Monitor and evaluate the academic and fiscal 2602  
performance and the organization and operation of the community 2603  
school on at least an annual basis; 2604

(3) Provide technical assistance to the community school 2605  
in complying with laws applicable to the school and terms of the 2606  
contract; 2607

(4) Take steps to intervene in the school's operation to 2608  
correct problems in the school's overall performance, declare 2609  
the school to be on probationary status pursuant to section 2610  
3314.073 of the Revised Code, suspend the operation of the 2611  
school pursuant to section 3314.072 of the Revised Code, or 2612  
terminate the contract of the school pursuant to section 3314.07 2613  
of the Revised Code as determined necessary by the sponsor; 2614

(5) Have in place a plan of action to be undertaken in the 2615  
event the community school experiences financial difficulties or 2616  
closes prior to the end of a school year. 2617

(E) Upon the expiration of a contract entered into under 2618  
this section, the sponsor of a community school may, with the 2619  
approval of the governing authority of the school, renew that 2620  
contract for a period of time determined by the sponsor, but not 2621  
ending earlier than the end of any school year, if the sponsor 2622  
finds that the school's compliance with applicable laws and 2623  
terms of the contract and the school's progress in meeting the 2624  
academic goals prescribed in the contract have been 2625  
satisfactory. Any contract that is renewed under this division 2626  
remains subject to the provisions of sections 3314.07, 3314.072, 2627  
and 3314.073 of the Revised Code. 2628

(F) If a community school fails to open for operation 2629

within one year after the contract entered into under this 2630  
section is adopted pursuant to division (D) of section 3314.02 2631  
of the Revised Code or permanently closes prior to the 2632  
expiration of the contract, the contract shall be void and the 2633  
school shall not enter into a contract with any other sponsor. A 2634  
school shall not be considered permanently closed because the 2635  
operations of the school have been suspended pursuant to section 2636  
3314.072 of the Revised Code. 2637

**Sec. 3314.05.** (A) The contract between the community 2638  
school and the sponsor shall specify the facilities to be used 2639  
for the community school and the method of acquisition. Except 2640  
as provided in divisions (B) (3) and (4) of this section, no 2641  
community school shall be established in more than one school 2642  
district under the same contract. 2643

(B) Division (B) of this section shall not apply to 2644  
internet- or computer-based community schools. 2645

(1) A community school may be located in multiple 2646  
facilities under the same contract only if the limitations on 2647  
availability of space prohibit serving all the grade levels 2648  
specified in the contract in a single facility or division (B) 2649  
(2), (3), or (4) of this section applies to the school. The 2650  
school shall not offer the same grade level classrooms in more 2651  
than one facility. 2652

(2) A community school may be located in multiple 2653  
facilities under the same contract and, notwithstanding division 2654  
(B) (1) of this section, may assign students in the same grade 2655  
level to multiple facilities, as long as all of the following 2656  
apply: 2657

(a) The governing authority has entered into and maintains 2658

a contract with an operator of the type described in division 2659  
(A) (8) (b) of section 3314.02 of the Revised Code. 2660

(b) The contract with that operator qualified the school 2661  
to be established pursuant to division (A) of former section 2662  
3314.016 of the Revised Code. 2663

(c) The school's rating under section 3302.03 of the 2664  
Revised Code does not fall below a ~~combination of any of the~~ 2665  
~~following for two or more consecutive years:—~~ 2666

~~(i) A rating of "in need of continuous improvement" under~~ 2667  
~~section 3302.03 of the Revised Code, as that section existed~~ 2668  
~~prior to March 22, 2013;—~~ 2669

~~(ii) For the 2012-2013, 2013-2014, 2014-2015, and 2015-~~ 2670  
~~2016 school years, a rating of "C" for both the performance~~ 2671  
~~index score under division (A) (1) (b) or (B) (1) (b) and the value-~~ 2672  
~~added dimension under division (A) (1) (c) or (B) (1) (c) of section~~ 2673  
~~3302.03 of the Revised Code; or if the building serves only~~ 2674  
~~grades ten through twelve, the building received a grade of "C"~~ 2675  
~~for the performance index score under division (A) (1) (b) or (B)~~ 2676  
~~(1) (b) of section 3302.03 of the Revised Code;—~~ 2677

~~(iii) For the 2016-2017, 2017-2018, 2018-2019, 2019-2020,~~ 2678  
~~2020-2021 school years, an overall grade of "C" under division-~~ 2679  
~~(C) (3) of section 3302.03 of the Revised Code or an overall-~~ 2680  
~~performance designation of "meets standards" under division (E)~~ 2681  
~~(3) (e) of section 3314.017 of the Revised Code;—~~ 2682

~~(iv) For the 2021-2022 school year and any school year~~ 2683  
~~thereafter, an overall performance rating of three stars under~~ 2684  
division (D) (3) of section 3302.03 of the Revised Code or an 2685  
overall performance designation of "meets standards" under 2686  
division ~~(E) (3) (e)~~ (E) (5) of section 3314.017 of the Revised 2687

Code.	2688
(3) On and after September 30, 2021, a new start-up	2689
community school may be established in two school districts	2690
under the same contract regardless of the proposed location of	2691
either district if both of the following apply:	2692
(a) The school operates not more than one facility in each	2693
school district and, in accordance with division (B) (1) of this	2694
section, the school does not offer the same grade level	2695
classrooms in both facilities; and	2696
(b) Transportation between the two facilities does not	2697
require more than thirty minutes of direct travel time as	2698
measured by school bus.	2699
(4) A community school may be located in multiple	2700
facilities under the same contract and, notwithstanding division	2701
(B) (1) of this section, may assign students in the same grade	2702
level to multiple facilities, as long as both of the following	2703
apply:	2704
(a) The facilities are all located in the same county or	2705
in any county adjacent to the county in which the community	2706
school's primary facility is located.	2707
(b) Either of the following conditions are satisfied:	2708
(i) The community school is sponsored by a board of	2709
education of a city, local, or exempted village school district	2710
having territory in the same county where the facilities of the	2711
community school are located or in any county adjacent to the	2712
county in which the community school's primary facility is	2713
located;	2714
(ii) The community school is managed by an operator.	2715

In the case of a community school to which division (B) (4) 2716  
of this section applies and that maintains facilities in more 2717  
than one school district, the school's governing authority shall 2718  
designate one of those districts to be considered the school's 2719  
primary location and the district in which the school is located 2720  
for the purposes of division (A) (19) of section 3314.03 and 2721  
divisions (C) and (H) of section 3314.06 of the Revised Code and 2722  
for all other purposes of this chapter and shall notify the 2723  
department of that designation. 2724

(5) Any facility used for a community school shall meet 2725  
all health and safety standards established by law for school 2726  
buildings. 2727

(C) In the case where a community school is proposed to be 2728  
located in a facility owned by a school district or educational 2729  
service center, the facility may not be used for such community 2730  
school unless the district or service center board owning the 2731  
facility enters into an agreement for the community school to 2732  
utilize the facility. Use of the facility may be under any terms 2733  
and conditions agreed to by the district or service center board 2734  
and the school. 2735

(D) Two or more separate community schools may be located 2736  
in the same facility. 2737

(E) In the case of a community school that is located in 2738  
multiple facilities, beginning July 1, 2012, the department 2739  
shall assign a unique identification number to the school and to 2740  
each facility maintained by the school. Each number shall be 2741  
used for identification purposes only. Nothing in this division 2742  
shall be construed to require the department to calculate the 2743  
amount of funds paid under this chapter, or to compute any data 2744  
required for the report cards issued under section 3314.012 of 2745

the Revised Code, for each facility separately. The department 2746  
shall make all such calculations or computations for the school 2747  
as a whole. 2748

(F) (1) In the case of a community school that exists prior 2749  
to September 30, 2021, to which division (B) (3) of this section 2750  
applies, if only one of the school districts in which the school 2751  
is established was located in a challenged school district prior 2752  
to September 30, 2021, that district continues to be considered 2753  
the school's primary location and the district in which the 2754  
school is located for the purposes of division (A) (19) of 2755  
section 3314.03 and divisions (C) and (H) of section 3314.06 of 2756  
the Revised Code and for all other purposes of this chapter 2757  
unless and until the school's governing authority designates a 2758  
different school district as the school's primary location in 2759  
accordance with division (F) (2) of this section. If both of the 2760  
school districts in which the school is established were 2761  
challenged school districts on that date, and the primary 2762  
location was already designated by the school's governing 2763  
authority pursuant to the requirements of this section as it 2764  
existed prior to September 30, 2021, that designation remains 2765  
unless and until the school's governing authority designates a 2766  
different primary location. 2767

(2) (a) On and after September 30, 2021, when a new start- 2768  
up community school is established in two school districts under 2769  
the same contract, the school's governing authority shall 2770  
designate one of those districts to be considered the school's 2771  
primary location and the district in which the school is located 2772  
for the purposes of division (A) (19) of section 3314.03 and 2773  
divisions (C) and (H) of section 3314.06 of the Revised Code and 2774  
for all other purposes of this chapter and shall notify the 2775  
department of education and workforce of that designation. 2776



(b) A community school governing authority that elects to modify a community school's primary location, whether in accordance with division (F)(1) of this section or otherwise, shall notify the department of that modification.

**Sec. 3314.29.** (A) This section applies to any internet- or computer-based community school that meets all of the following conditions:

(1) Serves all of grades kindergarten through twelve;

(2) Has an enrollment of at least two thousand students;

(3) Has a sponsor that was not rated ineffective or poor on its most recent evaluation under section 3314.016 of the Revised Code.

(B) Beginning with the 2018-2019 school year, the governing authority of a community school to which this section applies may adopt a resolution to divide the school into two or three separate schools as follows:

(1) If the school is divided into two schools, one school shall serve grades kindergarten through eight and one school shall serve grades nine through twelve.

(2) If the school is divided into three schools, one school shall serve grades kindergarten through five, one school shall serve grades six through eight, and one school shall serve grades nine through twelve.

(C) The resolution adopted by the governing authority shall not be effective unless approved by the school's sponsor. Following approval of the resolution by the sponsor, and by the fifteenth day of March prior to the school year in which it will take effect, the governing authority shall file the resolution

with the department of education and workforce. The division of 2805  
the schools shall be effective on the first day of July 2806  
succeeding the date the resolution is filed with the department. 2807

(D) All of the following shall apply to each new school 2808  
created as a result of the resolution authorized by this section 2809  
and to the school that is divided as a result of the resolution: 2810

(1) Each school shall have the same governing authority. 2811

(2) The sponsor and governing authority shall enter into a 2812  
separate contract under section 3314.03 of the Revised Code for 2813  
each school. 2814

(3) No school shall primarily serve students enrolled in a 2815  
dropout prevention and recovery program operated by the school. 2816

(4) No school shall be permitted to divide again under 2817  
this section. 2818

(5) Notwithstanding anything to the contrary in division 2819  
(B) (2) of section 3314.016 of the Revised Code, each school 2820  
shall be included in the calculation of the academic performance 2821  
component for purposes of rating the schools' sponsor under the 2822  
evaluation system prescribed by that section. 2823

(6) Each school shall be subject to the laws contained in 2824  
Chapter 3314. of the Revised Code, except as otherwise specified 2825  
in this section. 2826

(E) The department shall issue a report card under section 2827  
3314.012 of the Revised Code for each new school created as a 2828  
result of the resolution authorized by this section and for the 2829  
school that is divided as a result of the resolution. For 2830  
purposes of the report cards and other reporting requirements 2831  
under this chapter, the department shall assign the school that 2832

serves the highest grades the same internal retrieval number 2833  
previously used by the school that is divided under this 2834  
section. The department shall assign a new internal retrieval 2835  
number to each other school resulting from the division. 2836

Notwithstanding division (A) of section 3314.012 of the 2837  
Revised Code, the ratings a school receives on its report card 2838  
for the first two full school years after the division under 2839  
this section shall count toward ~~closure of the school under~~ 2840  
required action for poorly performing community schools under 2841  
section 3314.35 of the Revised Code and any other matter that is 2842  
based on report card ratings or measures. 2843

Sec. 3314.35. (A) This section applies to a community 2844  
school that, for the three most recent school years, meets any 2845  
combination of the following criteria: 2846

(1) The school meets all of the following criteria: 2847

(a) The school offers a grade level higher than three. 2848

(b) The school has been ranked by the department of 2849  
education and workforce according to performance index score in 2850  
the bottom five per cent of all ranked school buildings in the 2851  
state. 2852

(c) The school has been ranked by the department according 2853  
to effect size under the value-added progress dimension in the 2854  
bottom ten per cent of all ranked school buildings in the state. 2855

(d) A majority of the students enrolled in the school are 2856  
not enrolled in a dropout prevention and recovery program. 2857

(2) The school meets both of the following: 2858

(a) A majority of the students enrolled in the school are 2859  
enrolled in a dropout prevention and recovery program. 2860

(b) The school has received a designation of "does not meet standards," as described in division (D) (1) of section 3314.017 of the Revised Code, on the report card issued under that section. 2861  
2862  
2863  
2864

(B) The department shall provide notice to any community school to which this section applies of that fact. The governing authority of a community school to which this section applies shall do one of the following at the conclusion of the school year in which the school first becomes subject to this section: 2865  
2866  
2867  
2868  
2869

(1) Permanently close. The sponsor and governing authority of the school shall comply with all procedures for closing a community school adopted by the department under division (E) of section 3314.015 of the Revised Code. The governing authority of the school shall not enter into a contract with any other sponsor under section 3314.03 of the Revised Code after the school closes. 2870  
2871  
2872  
2873  
2874  
2875  
2876

(2) Contract with one of the following entities to operate the school: 2877  
2878

(a) An education management organization or charter management organization that is approved by the department and meets at least one of the following conditions: 2879  
2880  
2881

(i) The organization has experience in improving school performance; 2882  
2883

(ii) The schools managed by the organization have received an average of at least three stars in the achievement and progress components under division (D) (3) of section 3302.03 of the Revised Code on the most recent report card issued by the department. 2884  
2885  
2886  
2887  
2888

(b) A school district that meets both of the following: 2889

<u>(i) The district has received an overall rating of at</u>	2890
<u>least four stars on its most recent report card issued under</u>	2891
<u>section 3302.03 of the Revised Code and has experience improving</u>	2892
<u>school performance, as determined by the department;</u>	2893
<u>(ii) The district does not operate any school building</u>	2894
<u>that is subject to section 3302.12 of the Revised Code.</u>	2895
<u>(c) An educational service center that has experience in</u>	2896
<u>school improvement and meets criteria established by the</u>	2897
<u>department;</u>	2898
<u>(d) A private college as defined in section 3365.01 of the</u>	2899
<u>Revised Code that has experience in school improvement and meets</u>	2900
<u>criteria established by the department;</u>	2901
<u>(e) A state institution of higher education as defined in</u>	2902
<u>section 3345.011 of the Revised Code that has experience in</u>	2903
<u>school improvement and meets criteria established by the</u>	2904
<u>department.</u>	2905
<u>(3) Replace the principal and at least a majority of</u>	2906
<u>licensed staff of the school. Notwithstanding any provision to</u>	2907
<u>the contrary in Chapter 4117. of the Revised Code, this</u>	2908
<u>provision prevails over any conflicting provisions of a</u>	2909
<u>collective bargaining agreement or contract for employment</u>	2910
<u>entered into after the effective date of this section.</u>	2911
<u>(4) Work with a department-approved external service</u>	2912
<u>provider with expertise in school improvement.</u>	2913
<u>(C) If the governing authority of a community school</u>	2914
<u>subject to this section implements any alternative to closure</u>	2915
<u>under division (B) of this section or any combination of</u>	2916
<u>alternatives to closure under that division and the school</u>	2917
<u>continues to meet the criteria described in division (A) of this</u>	2918

section for the next three consecutive school years, beginning 2919  
with the school year in which an alternative to closure is first 2920  
implemented, the governing authority shall permanently close the 2921  
school pursuant to division (B) (1) of this section. 2922

(D) Nothing in this section or in any other provision of 2923  
the Revised Code prohibits the sponsor of a community school 2924  
from exercising its option not to renew a contract for any 2925  
reason or from terminating a contract prior to its expiration 2926  
for any of the reasons set forth in section 3314.07 of the 2927  
Revised Code. 2928

(E) The department may adopt rules as necessary to 2929  
implement this section. 2930

(F) The department shall not consider report cards issued 2931  
prior to the 2024-2025 school year in determining whether a 2932  
community school is subject to this section. 2933

**Sec. 3314.352.** No community school that is permanently 2934  
closed under section 3314.35 or former section 3314.351 of the 2935  
Revised Code as it existed prior to the effective date of this 2936  
amendment may be reopened under another name if any of the 2937  
following conditions are true: 2938

(A) The new school has the same sponsor as the closed 2939  
school. 2940

(B) The new school has the same chief administrator as the 2941  
closed school. 2942

(C) The governing authority of the new school consists of 2943  
any of the same members that served on the governing authority 2944  
of the closed school during that school's last year of 2945  
operation. 2946

(D) Fifty per cent or more of the teaching staff of the 2947  
new school consists of the same individuals who were employed as 2948  
teachers at the closed school during that school's last year of 2949  
operation. 2950

(E) Fifty per cent or more of the administrative staff of 2951  
the new school consists of the same individuals who were 2952  
employed as administrators at the closed school during that 2953  
school's last year of operation. 2954

(F) The performance standards and accountability plan 2955  
prescribed by the sponsor contract for the new school, entered 2956  
into under section 3314.03 of the Revised Code, are the same as 2957  
those for the closed school. 2958

**Sec. 3314.353.** Each year, the department of education and 2959  
workforce shall publish separate lists of the following: 2960

(A) Community schools that have become subject to 2961  
~~permanent closure~~ required action for poorly performing 2962  
community schools under section 3314.35 ~~or 3314.351~~ of the 2963  
Revised Code; 2964

(B) Community schools that are at risk of becoming subject 2965  
to ~~permanent closure~~ required action for poorly performing 2966  
community schools under section 3314.35 ~~or 3314.351~~ of the 2967  
Revised Code if their academic performance, as prescribed in 2968  
those sections, does not improve on the next state report cards 2969  
issued under section 3302.03 or 3314.017 of the Revised Code. 2970

The department of education and workforce shall not adopt 2971  
any rules, enforce any procedures or policies, or otherwise 2972  
restrict the establishment or sponsorship of a new start-up 2973  
community school based upon whether the school's proposed 2974  
location is in a challenged school district. 2975

**Sec. 3314.354.** Not later than the thirty-first day of July 2976  
of each year, the department of education and workforce shall 2977  
submit preliminary data on community schools at risk of becoming 2978  
subject to ~~permanent closure~~ an action required for poorly 2979  
performing community schools under section 3314.35 ~~or 3314.351~~ 2980  
of the Revised Code. 2981

**Sec. 3326.53.** (A) This section applies to a STEM school 2982  
that, for the three most recent school years, meets all of the 2983  
following criteria: 2984

(1) The STEM school offers a grade level higher than 2985  
three; 2986

(2) The STEM school has been ranked by the department of 2987  
education and workforce according to performance index score in 2988  
the bottom five per cent of all ranked school buildings in the 2989  
state; 2990

(3) The STEM school has been ranked by the department 2991  
according to effect size under the value-added progress 2992  
dimension in the bottom ten per cent of all ranked school 2993  
buildings in the state. 2994

(B) The department shall provide notice to any STEM school 2995  
to which this section applies of that fact. In the case of a 2996  
STEM school to which this section applies, the governing body of 2997  
the STEM school shall do one of the following at the conclusion 2998  
of the school year in which the STEM school first becomes 2999  
subject to this section: 3000

(1) Close the school; 3001

(2) Contract with one of the following entities to operate 3002  
the school: 3003



(a) An education management organization or charter management organization that is approved by the department and meets at least one of the following conditions: 3004  
3005  
3006

(i) The organization has experience in improving school performance; 3007  
3008

(ii) The schools managed by the organization have received an average of at least three stars in the achievement and progress components under division (D) (3) of section 3302.03 of the Revised Code on the most recent report card issued by the department. 3009  
3010  
3011  
3012  
3013

(b) A school district that meets both of the following: 3014

(i) The district has received an overall rating of at least four stars on its most recent report card issued under section 3302.03 of the Revised Code and has experience improving school performance, as determined by the department; 3015  
3016  
3017  
3018

(ii) The district does not operate any school building that is subject to section 3302.12 of the Revised Code. 3019  
3020

(c) An educational service center that has experience in school improvement and meets criteria established by the department; 3021  
3022  
3023

(d) A private college as defined in section 3365.01 of the Revised Code that has experience in school improvement and meets criteria established by the department; 3024  
3025  
3026

(e) A state institution of higher education as defined in section 3345.011 of the Revised Code that has experience in school improvement and meets criteria established by the department. 3027  
3028  
3029  
3030

(3) Replace the principal and at least a majority of 3031

licensed staff of the school. Notwithstanding any provision to 3032  
the contrary in Chapter 4117. of the Revised Code, this 3033  
provision prevails over any conflicting provisions of a 3034  
collective bargaining agreement or contract for employment 3035  
entered into after the effective date of this section. 3036

(4) Work with a department-approved external service 3037  
provider that has expertise in school improvement. 3038

(C) If the governing body of a STEM school subject to this 3039  
section implements any alternative to closure under division (B) 3040  
of this section or any combination of alternatives to closure 3041  
under that division and the school continues to meet the 3042  
criteria described in division (A) of this section for the next 3043  
three consecutive school years, beginning with the school year 3044  
in which an alternative to closure is first implemented, the 3045  
governing body shall close the school pursuant to division (B) 3046  
(1) of this section. 3047

(D) The department may adopt rules as necessary to 3048  
implement this section. 3049

(E) The department shall not consider report cards issued 3050  
prior to the 2024-2025 school year in determining whether a STEM 3051  
school is subject to this section. 3052

**Section 2.** That existing sections 3301.0712, 3302.03, 3053  
3302.034, 3302.036, 3302.12, 3313.413, 3314.012, 3314.016, 3054  
3314.017, 3314.0211, 3314.03, 3314.05, 3314.29, 3314.352, 3055  
3314.353, and 3314.354 of the Revised Code are hereby repealed. 3056

**Section 3.** That sections 3314.35, 3314.351, 3314.355, and 3057  
3314.36 of the Revised Code are hereby repealed. 3058

**Section 4.** Sections 1 to 3 of this act take effect July 1, 3059  
2025. 3060

**Section 5.** Section 3314.03 of the Revised Code is 3061  
presented in this act as a composite of the section as amended 3062  
by H.B. 214, H.B. 250, and S.B. 168, all of the 135th General 3063  
Assembly. The General Assembly, applying the principle stated in 3064  
division (B) of section 1.52 of the Revised Code that amendments 3065  
are to be harmonized if reasonably capable of simultaneous 3066  
operation, finds that the composite is the resulting version of 3067  
the section in effect prior to the effective date of the section 3068  
as presented in this act. 3069